

**CITY OF SANTA BARBARA
CITY COUNCIL
REDEVELOPMENT AGENCY**

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James L. Armstrong
*City Administrator/
Executive Director*

Stephen P. Wiley
City Attorney/Agency Counsel

City Hall
735 Anacapa Street
<http://www.SantaBarbaraCA.gov>

**NOVEMBER 16, 2010
AGENDA**

ORDER OF BUSINESS: Regular meetings of the Finance Committee and the Ordinance Committee begin at 12:30 p.m. The regular City Council and Redevelopment Agency meetings begin at 2:00 p.m. in the Council Chamber at City Hall.

REPORTS: Copies of the reports relating to agenda items are available for review in the City Clerk's Office, at the Central Library, and <http://www.SantaBarbaraCA.gov>. In accordance with state law requirements, this agenda generally contains only a brief general description of each item of business to be transacted or discussed at the meeting. Should you wish more detailed information regarding any particular agenda item, you are encouraged to obtain a copy of the Council Agenda Report (a "CAR") for that item from either the Clerk's Office, the Reference Desk at the City's Main Library, or online at the City's website (<http://www.SantaBarbaraCA.gov>). Materials related to an item on this agenda submitted to the Council/Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's Office located at City Hall, 735 Anacapa Street, Santa Barbara, CA 93101, during normal business hours.

PUBLIC COMMENT: At the beginning of the 2:00 p.m. session of each regular Council/Redevelopment Agency meeting, and at the beginning of each special Council/Redevelopment Agency meeting, any member of the public may address them concerning any item not on the Council/Redevelopment Agency agenda. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that public comment is taken up by the Council/Redevelopment Agency. Should Council/Redevelopment Agency business continue into the evening session of a regular Council/Redevelopment Agency meeting at 6:00 p.m., the Council/Redevelopment Agency will allow any member of the public who did not address them during the 2:00 p.m. session to do so. The total amount of time for public comments will be 15 minutes, and no individual speaker may speak for more than 1 minute. The Council/Redevelopment Agency, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

REQUEST TO SPEAK: A member of the public may address the Finance or Ordinance Committee or Council/Redevelopment Agency regarding any scheduled agenda item. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that the item is taken up by the Finance or Ordinance Committee or Council/Redevelopment Agency.

CONSENT CALENDAR: The Consent Calendar is comprised of items that will not usually require discussion by the Council/ Redevelopment Agency. A Consent Calendar item is open for discussion by the Council/Redevelopment Agency upon request of a Council/Agency Member, City staff, or member of the public. Items on the Consent Calendar may be approved by a single motion. Should you wish to comment on an item listed on the Consent Agenda, after turning in your "Request to Speak" form, you should come forward to speak at the time the Council/Redevelopment Agency considers the Consent Calendar.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the City Administrator's Office at 564-5305 or inquire at the City Clerk's Office on the day of the meeting. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

TELEVISION COVERAGE: Each regular Council meeting is broadcast live in English and Spanish on City TV Channel 18, and rebroadcast in English on Wednesdays and Thursdays at 7:00 p.m. and Saturdays at 9:00 a.m., and in Spanish on Sundays at 4:00 p.m. Each televised Council meeting is closed captioned for the hearing impaired. Check the City TV program guide at www.citytv18.com for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

ORDER OF BUSINESS

- 12:30 p.m. - Ordinance Committee Meeting, Council Chamber
- 2:00 p.m. - City Council Meeting Begins
- 2:00 p.m. - Redevelopment Agency Meeting
- 5:00 p.m. - Recess
- 6:00 p.m. - City Council Meeting Reconvenes

ORDINANCE COMMITTEE MEETING - 12:30 P.M. IN THE COUNCIL CHAMBER (120.03)

Subject: Reach Code - Energy Efficiency Standards

Recommendation: That the Ordinance Committee review and recommend for approval to the City Council an ordinance establishing local energy efficiency standards for new construction and most additions.

**REGULAR CITY COUNCIL MEETING – 2:00 P.M.
REGULAR REDEVELOPMENT AGENCY MEETING – 2:00 P.M.**

AFTERNOON SESSION

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

1. **Subject: Proclamation Declaring November 14-20, 2010, As Anti-Bullying Awareness Week (120.04)**

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

CITY COUNCIL

2. **Subject: Santa Barbara Beautiful Grant (560.04)**

Recommendation: That Council:

- A. Authorize the receipt of grant funds totaling \$40,000 from Santa Barbara Beautiful; and
- B. Increase appropriations and estimated revenues for Fiscal Year 2011 by \$40,000 in the Airport Fund for the design and installation of the North Rotunda Floor Medallion for the Airline Terminal Project.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

3. Subject: Grant From California Department Of Boating And Waterways For Removal Of Vessels Per The State's Vessel Turn-In Program (570.03)

Recommendation: That Council:

- A. Authorize the Waterfront Director to execute an agreement with the California Department of Boating and Waterways to accept an \$8,000 grant for the disposal of recreational vessels per the state's Vessel Turn-In Program; and
- B. Increase Fiscal Year 2011 estimated revenue in the amount of \$8,000 and appropriate the funds to the Waterfront Department's Fiscal Year 2011 Capital Budget.

4. Subject: Loan Application With California Department Of Boating And Waterways - Marina 1 (570.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Requesting a \$1.9 Million Loan from the California Department of Boating and Waterways for Phase 4 of the Marina One Replacement Project in the Santa Barbara Harbor.

5. Subject: State Revolving Fund Loan For The William B. Cater Water Treatment Plant And Ortega Groundwater Treatment Plant Projects (540.10)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 09-090 and Identifying and Dedicating a Source of Revenue to Repay a Safe Drinking Water State Revolving Fund (SDWSRF) Loan in an Amount of \$29.92 Million to Finance Project Number 4210010-004 for the Advanced Treatment Project at the William B. Cater Water Treatment Plant and the Ortega Groundwater Treatment Plant Rehabilitation and Improvements Project.

6. Subject: Approval Of Parcel Map And Execution Of Agreements For 416 And 418 Montgomery Street (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,788 (Map) and standard agreements relating to the approved subdivision at 416 and 418 Montgomery Street.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

7. Subject: Approval Of Final Map And Execution Of Agreements For 1210, 1212, And 1216 State Street (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Final Map Number 20,784 (Map) and standard agreements relating to the approved subdivision at 1210, 1212, and 1216 State Street.

8. Subject: Firefighters Of Santa Barbara License Agreement (520.03)

Recommendation: That Council authorize the Fire Chief to execute a one-year license agreement between the City of Santa Barbara and Firefighters of Santa Barbara, Inc., for the production of "First Responders - Firefighters of Santa Barbara".

REDEVELOPMENT AGENCY

9. Subject: Loan To Habitat For Humanity For Acquisition Of 822-824 East Canon Perdido Street (660.04)

Recommendation: That Council and the Redevelopment Agency Board take the following actions:

- A. That the Agency Board approve an acquisition loan of \$925,000 of Redevelopment Agency Housing Setaside Funds to Habitat for Humanity of Southern Santa Barbara County and authorize the Agency's Deputy Director to execute a loan agreement and related documents in a form approved by Agency Counsel, and to make non-substantive changes;
- B. That the Agency Board appropriate \$925,000 in the Redevelopment Agency Housing Setaside Funds from unappropriated reserves for the acquisition loan;
- C. That the Agency Board adopt, by reading of title only, A Resolution of the Redevelopment Agency of the City of Santa Barbara Adopting the Replacement Housing Plan Dated October 28, 2010, for 822-824 East Canon Perdido Street; and
- D. That Council and the Agency Board adopt, by reading of title only, A Joint Resolution of the Council of the City of Santa Barbara and the Redevelopment Agency of the City of Santa Barbara Finding that the Use of Redevelopment Agency Housing Setaside Funds as a Loan to Habitat for Humanity of Southern Santa Barbara County for Acquiring an Affordable Housing Site Located Outside the Central City Redevelopment Project (CCRP) Area at 822-824 East Canon Perdido Street Will Be of Benefit to the CCRP.

CONSENT CALENDAR (CONT'D)

NOTICES

10. The City Clerk has on Thursday, November 11, 2010, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
11. The public hearing scheduled for November 16, 2010, at 6:00 p.m. to hear an appeal of the Historic Landmarks Commission's approval for 101 W. Canon Perdido Street has been cancelled due to withdrawal of the appeal.

This concludes the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

12. Subject: Sign Committee Reconstitution And Other Ordinance Amendments To Increase Efficiency (640.02)

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Title 22 of the Santa Barbara Municipal Code Relating to the Expiration of Project Design Review Approvals, Amending Section 27.07.110 of Title 27 Relating to Approved Subdivision Maps, and Amending Chapter 28.87 of Title 28 of the Santa Barbara Municipal Code Relating to the Preparation of Zoning Information Reports and the Expiration and Tolling of Development Plans and Other Project Approvals for Approved Development Projects;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving Revised Sign Review Guidelines; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing a Reconstituted Sign Committee and Repealing Resolution Numbers 81-053, 90-028, and 95-083.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

COMMUNITY DEVELOPMENT DEPARTMENT (CONT'D)

13. Subject: Plan Santa Barbara General Plan Update (650.05)

Recommendation: That Council:

- A. Continue Council discussion and deliberations concerning the Plan Santa Barbara General Plan update; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the 2010 General Plan Update and Making Environmental Findings Pursuant to the California Environmental Quality Act.

(Continued from October 26 and 27, 2010)

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

14. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the Treatment and Patrol Bargaining Units and the Hourly Bargaining Unit, and regarding discussions with unrepresented management about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

15. Subject: Conference With Real Property Negotiator Regarding 6100 Hollister Avenue (330.03)

Recommendation: That Council hold a closed session to consider instructions to its negotiators regarding a possible long-term lease of City-owned property consisting of a fifteen-acre parcel of real property located at 6100 Hollister Avenue at the Airport, bounded by Hollister Avenue, Frederic Lopez Road, Francis Botello Road and David Love Place (Parcel 22 of the Airport Specific Plan Map [City Parcel Map No. 20,608] in the City of Santa Barbara).

(Cont'd)

CLOSED SESSIONS (CONT'D)

15. (Cont'd)

Instructions to negotiators will direct staff regarding the price and terms of payment of a possible lease of the City-owned property with Deckers Outdoor Corporation, a Minnesota corporation. Negotiations are held pursuant to the authority of Section 54958.8 of the California Government Code. City Negotiators are: Karen Ramsdell, Airport Director; Paul Casey, Assistant City Administrator/Community Development Director; and Sarah Knecht, Assistant City Attorney. Negotiator for the potential lessee is Carlo Brignardello, CresaPartners Corporate Real Estate Service Advisors. Under negotiation: Price and terms of payment of a possible ground lease.

Scheduling: Duration, 30 Minutes; anytime

Report: None anticipated

RECESS

EVENING SESSION

RECONVENE

ROLL CALL

PUBLIC COMMENT

MAYOR AND COUNCIL REPORTS

16. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to November 23, 2010.

(Continued from November 9, 2010, Agenda Item No. 17)

ADJOURNMENT

CITY OF SANTA BARBARA

ORDINANCE COMMITTEE MEETING

MEETING AGENDA

DATE: November 16, 2010
TIME: 12:30 p.m.
PLACE: Council Chambers

Bendy White, Chair
Grant House
Frank Hotchkiss

Office of the City
Administrator

Office of the City
Attorney

Lori Pedersen
Administrative Analyst

Stephen P. Wiley
City Attorney

ITEMS FOR CONSIDERATION

Subject: Reach Code - Energy Efficiency Standards

Recommendation: That the Ordinance Committee review and recommend for approval to the City Council an ordinance establishing local energy efficiency standards for new construction and most additions.



CITY OF SANTA BARBARA

ORDINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: November 16, 2010

TO: Ordinance Committee

FROM: Building & Safety Division, Community Development Department

SUBJECT: Reach Code - Energy Efficiency Standards

RECOMMENDATION:

That the Ordinance Committee review and recommend for approval to the City Council an ordinance establishing local energy efficiency standards for new construction and most additions.

DISCUSSION:

On September 28, 2010, City Council received a presentation from the Southern California Edison Company regarding a South Coast Energy Reach Code proposal. The Energy Reach Code proposal would require new buildings and most additions to be 15 percent more energy-efficient than the current 2008 California Energy Code.

After receiving this presentation, Council voted to direct staff to conduct public outreach and prepare ordinance amendments for a South Coast Energy Reach Code for consideration by the City's Ordinance Committee.

The newly proposed Reach Code - Energy Efficiency Standards Ordinance (Energy Ordinance), which is based on the current 2008 California Energy Code deletes Chapter 22.82 of the City's Municipal Code and replaces the previously adopted Architecture 2030 Energy Efficiency Standards Ordinances, which were based on the now outdated 2005 California Energy Code.

The Draft Energy Ordinance has been placed on the City's website for public viewing and comment. Additionally, the Draft Energy Ordinance has been placed on the Land Development Team public bulletin, the Santa Barbara Contractors Association, American Institutes of Architects, and the Community Environmental Council's email notification list.

A public meeting was held Friday, October 22, 2010 to share and discuss the Draft Energy Ordinance. Representatives of the Southern California Edison Company; the Southern California Gas Company; and Mr. Mike Gabel, Energy Consultant, were in attendance. Mr. Gabel provided an overview of the Energy Ordinance followed by questions and answers.

The proposed Energy Ordinance is supported by our local American Institute of Architects, the Santa Barbara Contractors Association, the Community Environmental Council and many other local supporters.

Should the City's Ordinance Committee recommend for approval to the City Council the Reach Code – Energy Efficiency Standards Ordinance (Energy Ordinance) and City Council subsequently approve this Ordinance; an Energy Cost-Effectiveness Study for Climate Zone 6 that has been prepared and funded by the Southern California Edison Company will be forwarded to the California Energy Commission for review and approval. Once the Energy Cost-Effectiveness Study is approved by California Energy Commission the Energy Ordinance and the Energy Cost-Effectiveness Study would be brought back to Council for formal adoption.

Depending on the length of time taken to review and approve the Reach Code - Energy Efficiency Standards Ordinance (Energy Ordinance) by the California Energy Commission, it is anticipated that the new Ordinance would become effective in late February/March of 2011.

SUSTAINABILITY IMPACT

Adoption of this Ordinance would lead to stringent energy requirements for new construction and most additions than approved by the California Energy Commission. More energy efficient buildings will provide for the reduction and use of natural gas and electricity and may contribute to the reduction of greenhouse gas emissions from that construction.

ENVIRONMENTAL REVIEW

Staff has determined that the proposed Ordinance is categorically exempt from the California Environmental Quality Act (CEQA) review since it preserves and enhances the environment by setting forth minimum energy efficiency standards. In accordance with CEQA Guidelines Section 15308, actions authorized by State or local ordinance to assure the maintenance, restoration, enhancement, or protection of the environment are exempt from CEQA.

ATTACHMENTS:

1. Draft Reach Code – Energy Efficiency Standards Ordinance
2. Climate Zone 6 Energy Cost-Efficiency Study

PREPARED BY: George A. Estrella, Chief Building Official

SUBMITTED BY: Paul Casey, Assistant City Administrator

APPROVED BY: City Administrator's Office

**ORDINANCE COMMITTEE DISCUSSION DRAFT 11/16/10
SHOWING CHANGES FROM THE
FORMER MUNICIPAL CODE CHAPTER 22.82**

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF CITY OF SANTA BARBARA REPEALING
CHAPTER 22.82 OF THE SANTA BARBARA
MUNICIPAL CODE AND ENACTING A NEW
CHAPTER 22.82 ESTABLISHING LOCAL ENERGY
EFFICIENCY STANDARDS FOR CERTAIN
BUILDINGS AND IMPROVEMENTS COVERED BY
THE 2008 CALIFORNIA BUILDING ENERGY
EFFICIENCY STANDARDS.**

The City Council of the City of Santa Barbara does ordain as follows:

SECTION 1. Findings.

1. The modifications to the 2008 California Building Energy Efficiency Standards required by this ordinance are reasonably necessary due to local climatic conditions. Despite moderate summer ambient temperatures in the local area, the City of Santa Barbara is served by an energy system that may experience power outages or power reductions (i.e., “brown-outs”) during peak demand periods. Reduction of total and peak energy use as a result of incremental energy conservation measures required by this ordinance will have local and regional benefits in the cost-effective reduction of energy costs for the building owner, additional available system energy capacity, and a reduction in greenhouse gas emissions.

2. The proposed ordinance preserves and enhances the environment; in that it would set forth increased minimum energy efficiency standards within the City of Santa Barbara for buildings and improvements covered by the ordinance. In accordance with CEQA Section 15061(b)(3), “[C]EQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” Staff has determined that the proposed ordinance is exempt from CEQA review.

3. In order to maintain and advance the energy efficiency standards, it is in the best interest of the City to revisit this ordinance prior to expiration, ensuring that local energy standards meet the goals of reducing energy consumption, thereby saving on energy bills and decreasing greenhouse gas emissions.

4. The City has reviewed a study of the cost-effectiveness of the energy efficiency measures contained in this ordinance for the Climate Zones within the City’s jurisdiction. This study has concluded that the energy efficiency measures contained in this ordinance are cost-effective. The City Council hereby adopts the conclusions of this study and authorizes its inclusion in an

application for consideration by the California Energy Commission in compliance with Public Resources Code 25402.1(h)(2).

SECTION 2. Chapter 22.82 of the Santa Barbara Municipal Code, titled “Energy Efficiency Standards is hereby repealed and a new Chapter 22.82 is enacted to read as follows:

22.82.010 Purpose.

This Chapter (“Energy Efficiency Standards”) sets forth increased minimum energy efficiency standards within the City of Santa Barbara for all new construction of any size, additions to existing buildings or structures over a certain size threshold, and the installation of new ~~heaters or~~ circulation pumps for swimming pools, spas and water features. This Chapter is intended to supplement the ~~2005~~2008 California Building Energy Efficiency Standards, as specified in California Code of Regulations, Title 24, Parts 1 and 6 (Standards). Compliance with the ~~2005~~2008 California Building Energy Efficiency Standards is required even if the increased minimum energy efficiency standards specified in this Chapter do not apply.

22.82.020 Definitions.

For purposes of this Chapter 22.82, words or phrases used in this Chapter that are specifically defined in Parts 1, 2, or 6 of Title 24 of the California Code of Regulations shall have the same meaning as given in the Code of Regulations. In addition, the following words and phrases shall have the meanings indicated, unless context or usage clearly requires a different meaning:

A. **~~2005~~2008 BUILDING ENERGY EFFICIENCY STANDARDS.** The standards and regulations adopted by the California Energy Commission contained in Parts 1 and 6 of Title 24 of the California Code of Regulations as such standards and regulations may be amended from time to time.

B. **EXISTING + ADDITION + ALTERATION.** An approach to modeling the TDV (time dependent valuation) energy use of an addition including the existing building and alterations as specified in the Residential Compliance Manual and Nonresidential Compliance Manual.

C. **NONRESIDENTIAL COMPLIANCE MANUAL.** The manual developed by the California Energy Commission, under Section 25402.1(e) of the Public Resources Code, to aid designers, builders, and contractors in meeting the requirements of the state’s ~~2005~~2008 Building Energy Efficiency Standards for nonresidential, high-rise residential, and hotel/motel buildings.

~~———— D. **PHOTOVOLTAIC CREDIT.** A TDV Energy credit that may be used under certain conditions to demonstrate compliance with the City’s general compliance requirements as specified in Section 22.82.070. This credit is available if the solar photovoltaic energy system is capable of generating electricity from sunlight, supplying the electricity directly to the building, and the system is connected, through a reversible meter, to the utility grid. The methodology used to~~

calculate the time dependent valuation energy equivalent to the photovoltaic credit shall be the CECPV Calculator Version 2.1 or higher which may be found at the following web site:
http://www.gosolarecalifornia.ca.gov/nshpecalculator/download_calculator.html

D. **RESIDENTIAL COMPLIANCE MANUAL.** The manual developed by the California Energy Commission, under Section 25402.1(e) of the Public Resources Code, to aid designers, builders, and contractors in meeting the requirements of the state's ~~2005~~2008 Building Energy Efficiency Standards for low-rise residential buildings.

~~—— F. **SOLAR PHOTOVOLTAIC ENERGY SYSTEM.** A photovoltaic solar collector or other photovoltaic solar energy device that has a primary purpose of providing for the collection and distribution of solar energy for the generation of alternating current rated peak electricity. The installation of any solar photovoltaic energy system must meet all installation criteria of the current edition of the California Electrical Code and the California Energy Commission's Guidebook "Eligibility Criteria and Conditions for Incentives for Solar Energy Systems Senate Bill 1".~~

E. **SWIMMING POOL.** Any structure intended to contain water over 18 inches deep.

F. **TIME DEPENDENT VALUATION ENERGY or ("TDV ENERGY").** The time varying energy caused to be used by the building or addition to provide space conditioning and water heating and, for specified buildings, lighting. TDV energy accounts for the energy used at the building site and consumed in producing and in delivering energy to a site, including, but not limited to, power generation, transmission and distribution losses. TDV Energy is expressed in terms of thousands of British thermal units per square foot per year (kBtu/sq.ft.-yr).

G. **WATER FEATURE.** Any structure intended to contain water over 18 inches deep. Examples of water features include, but are not limited to, ponds and fountains.

22.82.030 Applicability.

A. The provisions of this Chapter apply to any of the following buildings or improvements for which a building permit is required by this Code:

1. Any new building or structure of any size,
2. Any addition to an existing low-rise residential building or structure where the addition is greater than 100 square feet of conditioned floor area,
3. Any addition to an existing nonresidential, high-rise residential or hotel/motel building or structure where the addition is greater than 100 square feet of conditioned floor area,
34. Indoor lighting alterations in conditioned spaces greater than ~~400~~500 square feet of floor area within nonresidential buildings,
45. All new ~~heaters or~~ circulation pumps for swimming pools, spas, and water features.

B. Subject to the limitations specified in this Section 22.82.030, the coverage of this Chapter shall be determined in accordance with the scope and application section of either the Residential Compliance Manual or Nonresidential Compliance Manual, as appropriate for the proposed occupancy.

22.82.040 Compliance.

A building permit application subject to the requirements of this Chapter will not be issued a building permit by the Building Official unless the energy compliance documentation submitted with the permit application complies with the requirements of this Chapter. A final inspection for a building permit subject to the requirements of this Chapter will not be approved unless the work authorized by the building permit has been constructed in accordance with the approved plans, conditions of approvals, and requirements of this Chapter.

22.82.050 Mandatory Energy Efficiency Requirements.

In addition to meeting all requirements of ~~2005~~2008 Building Energy Efficiency Standards, all applications for building permits that include buildings or improvements covered by this Chapter shall include the following mandatory energy efficiency measures as may be applicable to the proposed building or improvement:

A. **RESIDENTIAL BUILDINGS.** Unless preempted by the National Appliance Energy Conservation Act (NAECA), Any appliance (excluding HVAC equipment and water heaters) to be installed in a residential building shall be Energy Star rated, if the appliance installed is of a type that is Energy Star rated.

B. **SWIMMING POOL AND SPA HEATER PUMPS.** Any ~~heater or~~ circulation pump to be installed for any swimming pool, spa, or water feature shall incorporate the following energy conservation feature:

1. ~~—All natural gas heaters shall have an annual fuel utilization efficiency of 90% or higher; and~~

2. ~~—All circulating pump motors and filtration pump motors with a nominal rating of 0.75 horsepower or greater (except pump motors only serving spa jets) shall be two-speed or variable speed motors. The installation of all two-speed and variable speed motors shall include the installation of a controller which shall be time-based and shall be programmed to alternate the speed of the motor between low and high to make effective use of the energy savings potential of the unit's multi-speed capability.~~

C. ~~—MECHANICAL HEATING OR COOLING SYSTEMS. All fan motors and pump motors associated with mechanical heating or cooling systems that are single speed, polyphase, 1.0 nominal horsepower to 500 nominal horsepower, 2, 4, and 6 pole squirrel cage induction, NEMA Design A or B, continuous duty rated motors must be NEMA Premium motors by the National Electrical Manufacturers Association.~~

22.82.060 General Compliance Requirements.

In addition to any applicable mandatory requirements specified in Section 22.82.050 and the requirements of the ~~2005~~2008 Building Energy Efficiency Standards, the following general compliance requirements shall apply to permit applications subject to this Chapter as follows:

A. **LOW-RISE RESIDENTIAL BUILDINGS.** Applications for building permits that involve new low-rise residential buildings or additions to existing low-rise residential buildings where the additions are greater than 100 square feet of conditioned floor area shall demonstrate compliance with the general compliance requirements as follows:

1. **New Low-Rise Residential Buildings.** When an application for a building permit involves a new low-rise residential building, the performance approach specified in Section 151 of the ~~2005~~2008 Building Energy Efficiency Standards must be used to demonstrate that the TDV Energy of the proposed building is at least ~~20.0%~~15.0% less than the TDV Energy of the standard building.

2. **Additions to Low-Rise Residential Buildings.** When an application for a building permit involves an addition to an existing low-rise residential building, this general compliance requirement may be met by either of the following methods:

a. Using the performance approach specified in Section 151 of the ~~2005~~2008 Building Energy Efficiency Standards to demonstrate that the TDV Energy of the proposed addition is at least ~~20.0%~~15.0% less than the TDV Energy of the standard design; or,

b. Using the “Existing+Addition +Alteration” calculation methodology to demonstrate that the TDV Energy of the proposed building is at least ~~20.0%~~15.0% less than the TDV Energy of the standard design, as calculated in accordance with the performance approach specified in Section 151 of the ~~2005~~2008 Building Energy Efficiency Standards. In modeling buildings under the Existing+Addition+Alteration method, domestic hot water energy use must be included in the calculation model unless the application does not involve a change to the building’s existing water heater(s).

B. **HIGH-RISE RESIDENTIAL BUILDINGS & HOTEL/MOTEL GUEST ROOMS.** Applications for building permits that involve new high-rise residential buildings or hotel/motel guest rooms, or additions to these occupancies, where the additions are greater than 100 square feet of conditioned floor area, shall demonstrate compliance with the general compliance requirements as follows:

1. **New High-Rise Residential Buildings and Hotel/Motel Guest Rooms.** When an application for a building permit involves a new high-rise residential building or new hotel/motel guest rooms, the applicant shall use ~~either the Prescriptive Approach or the Performance Approach to demonstrate compliance as specified below:~~

~~a. **Prescriptive Approach.** If the building permit applicant chooses the prescriptive approach, the applicant shall use the Overall Envelope Approach in specified in Section 143(b) of the 2005 Building Energy Efficiency Standards to demonstrate that the Overall Heat Gain of the proposed building is at least 10.0% less than the Overall Heat Gain of the standard building; and the Overall Heat Loss of the proposed building is at least 10.0% less than the Overall Heat Loss of the standard building.~~

~~_____ b. **Performance Approach.** If the applicant chooses the performance approach, the applicant shall select one of the following energy budget calculation methodologies to demonstrate compliance with the general compliance requirements:~~

~~_____ (1) **Building Envelope Only.** Model the building envelope only using a state approved energy compliance software program and demonstrate that the TDV Energy of the sum of the Space Heating, Space Cooling and Indoor Fans energy components of the proposed building is at least 15.0% less than the TDV Energy of the sum of the Space Heating, Space Cooling and Indoor Fans energy components of the standard building; or,~~

~~_____ (2) **Building Envelope and Mechanical System.** Model the building envelope and mechanical system using a state approved energy compliance software program and demonstrate that the TDV Energy of the sum of the Space Heating, Space Cooling, Indoor Fans, Pump and Heat Rejection energy components of the proposed building is at least 15.0% less than the TDV Energy of the sum of the Space Heating, Space Cooling, Indoor Fans, Pump and Heat Rejection energy components of the standard building.~~ the Performance Approach to model the building using a state-approved energy compliance software program and demonstrate that the TDV Energy of the proposed building is at least 15.0% less than the TDV Energy of the standard building. In calculating the %-better-than-Title-24 in High-rise Residential or hotel/motel guest room projects, the TDV energy of the Process, Receptacle energy use components, and also lighting energy use in the residential spaces, is omitted in both the proposed and standard designs.

2. **Additions to High-Rise Residential Buildings and Hotel/Motel Guest Rooms.** When an application for a building permit involves an addition to an existing high-rise residential building or hotel/motel guest room occupancy, this general compliance requirement may be met by either of the following methods:

a. ~~Using the performance approach specified in Section 151 of the 2005 Building Energy Efficiency Standards to demonstrate that the TDV Energy of the proposed addition is at least 15.0% less than the TDV Energy of the standard design, or~~ Use the “Addition Alone” performance method specified in Section 22.82.060.B.1 to demonstrate that the TDV Energy sum of the energy components for the proposed addition is at least 15.0% less than the TDV Energy sum of the same energy components of the standard addition; or,

b. ~~Using~~ the “Existing+Addition +Alteration” calculation method specified in Section 22.82.060.B.1 to demonstrate that the TDV Energy for the sum of the energy components for the proposed building specified in either b(1) or b(2) above is at least 15.0% 10.0% less than the TDV Energy for the sum of the same energy components of the standard design.

C. **~~NONRESIDENTIAL AND HOTEL/MOTEL OCCUPANCIES.~~** Applications for building permits that involve new nonresidential ~~buildings or hotel/motel~~ occupancies or additions to existing nonresidential ~~buildings or hotel/motel~~ occupancies where the additions are greater than 100 square feet of conditioned floor area shall demonstrate compliance with the general compliance requirements as follows:

1. **New Nonresidential Buildings or Hotel/Motel Occupancies.** When an application for a building permit involves a new nonresidential building ~~or a new building housing a hotel/motel occupancy~~, ~~compliance with~~ meeting the general compliance requirements established by this Chapter may be demonstrated by using either the prescriptive approach or performance approach as specified below:

a. **Prescriptive Approach.** Subject to the exceptions listed below and the provisions of the ~~2005~~2008 Building Energy Efficiency Standards, the prescriptive approach requires compliance with the prescriptive envelope requirement and/or the prescriptive indoor lighting requirement, depending upon the work proposed in the permit application, as specified below:

(1) **Prescriptive Envelopement Requirement.** The Overall Envelope TDV Energy Approach in Section 143(b) of the ~~2005~~2008 Building Energy Efficiency Standards shall be used to demonstrate that ~~the Overall Heat Gain of the proposed building is at least 10.0% less than the Overall Heat Gain of the standard building; and the Overall Heat Loss of the proposed building is at least 10.0% less than the Overall Heat Loss of the standard building~~ the Overall TDV energy of the proposed building is at least 10.0% less than the Overall TDV energy of the standard building; and/or,

(2) **Prescriptive Indoor Lighting Requirement.** The “Prescriptive Requirements for Indoor Lighting” contained in Section 146 of the ~~2005~~2008 Building Energy Efficiency Standards that apply to conditioned spaces shall be used to demonstrate that the Adjusted Actual (Installed) Watts are at least 10.0% less than the Total Allowed Watts.

(i) **Tailored Method Exception.** When using the Tailored Method in retail stores to determine compliance with the prescriptive requirements for indoor lighting, Display Lighting watts may be omitted from the above calculation.

(ii) **Small Alterations Exception.** Lighting alterations which encompass a gross conditioned floor area equal to or less than 100 square feet are exempt from the prescriptive indoor lighting requirement.

b. **Performance Approach.** ~~When using~~If the applicant chooses the performance approach to demonstrate compliance with the general compliance requirements, the permit applicant shall ~~select one of the following energy budget calculation methodologies:~~

~~(1) **Building Envelope Only.** Model the building envelope only for compliance using a state-approved energy compliance software program and demonstrate that the TDV Energy of the sum of the Space Heating, Space Cooling and Indoor Fans energy components of the proposed building is at least 10.0% less than the TDV Energy of the sum of the Space Heating, Space Cooling and Indoor Fans energy components of the standard building; or,~~

~~(2) **Building Envelope and Mechanical System.** Model the building envelope and mechanical system for compliance using a state-approved energy compliance software program and demonstrate that the TDV Energy of the sum of the Space Heating, Space Cooling, Indoor Fans, Pump and Heat Rejection energy components of the proposed building is at least 10.0% less than the TDV Energy of the sum of the Space Heating, Space Cooling, Indoor Fans, Pump and Heat Rejection energy components for the standard building; or,~~

~~(3) **Building Envelope and Lighting.** Model the building envelope and lighting for compliance using a state-approved energy compliance software program and demonstrate that the TDV Energy of the sum of the Space Heating, Space Cooling, Indoor Fans and Lighting energy components of the proposed building is at least 10.0% less than the TDV Energy of the sum of the Space Heating, the Space Cooling, Indoor Fans and Lighting energy components of the standard building; or,~~

~~(4) **Building Envelope, Lighting, and Mechanical System.**~~

~~Model the building envelope, lighting and mechanical system for compliance using a state-approved energy compliance software program and demonstrate that the TDV Energy of the sum of the Space Heating, Space Cooling, Lighting, Indoor Fans, Pump and Heat Rejection energy components of the proposed building is at least 10.0% less than the TDV Energy of the sum of the Space Heating, Space Cooling, Lighting, Indoor Fans, Pump and Heat Rejection energy components of the standard building.~~

model the building using a state-approved energy compliance software program and demonstrate that the TDV Energy of the proposed building is at least 15.0% less than the TDV Energy of the standard building. In calculating the %-better-than-Title-24, the TDV energy of the Process and Receptacle energy use components is omitted in both the proposed and standard designs.

2. Additions to Existing Nonresidential Buildings or Hotel/Motel

Occupancies. When an application for a building permit involves an addition to an existing nonresidential building ~~or an existing building housing a hotel/motel occupancy~~, this general compliance requirement may be met by either of the following methods:

a. ~~Using one of the performance approach methodologies specified above in subparagraph 1.b above, Use the “Addition Alone” performance method specified in Section 22.82.060.C.1.b to demonstrate that the TDV Energy sum of the energy components for the proposed addition specified in B.1.a(1) above is at least 10.0% less than the TDV Energy sum of the same energy components of the standard design addition; or,~~

b. ~~Using the “Existing+Addition +Alteration” calculation performance method specified in Section 22.82.060.C.1.b to demonstrate that the TDV Energy of the sum of the energy components for the proposed building specified in B.1.a(1) above is at least 10.0% less than the TDV Energy of the sum of the same energy components of the standard design.~~

D. DOCUMENTATION. In order to demonstrate compliance with the requirements of this Section, a permit applicant may be required to submit supplementary forms and documentation in addition to the building drawings, specifications, and standard Title 24 report forms, as deemed appropriate by the Building Official.

~~22.82.070~~ — Credit for Solar Photovoltaic Energy Systems.

~~A. **NOT ALLOWED TO DEMONSTRATE COMPLIANCE WITH STATE STANDARDS.** A photovoltaic TDV Energy credit shall not be used to demonstrate compliance with the 2005 Building Energy Efficiency Standards.~~

~~B. **CREDIT ALLOWED TO SATISFY A PORTION OF THE GENERAL COMPLIANCE REQUIREMENTS.** A photovoltaic credit may be used to reduce the TDV Energy use of a proposed building or addition in order to satisfy the general compliance requirements of this Chapter as follows:~~

~~1. **Low-Rise Residential Buildings.** An application for a new low-rise residential building or an addition to an existing low-rise residential building may use a photovoltaic credit in order to demonstrate compliance with the general compliance requirements of this Chapter only after the TDV Energy of the proposed building or addition, calculated without the photovoltaic credit, is at least 15.0% less than the TDV Energy of the standard building or design.~~

~~2. **High-Rise Residential Buildings.** An application for a new high-rise residential building or an addition to an existing high-rise residential building may use a photovoltaic credit in order to demonstrate compliance with the general compliance requirements of this Chapter only after the TDV Energy of the proposed building or addition, calculated without the photovoltaic credit, is at least 10.0% less than the TDV Energy of the standard building or design.~~

~~3. **Nonresidential Buildings and Hotel/Motel Occupancies.** An application for a new nonresidential building or a new hotel/motel occupancy or an addition to an existing nonresidential building or an existing hotel/motel occupancy may use a photovoltaic credit in order to demonstrate compliance with the general compliance requirements of this Chapter only after the TDV Energy of the proposed building or addition, calculated without the photovoltaic credit, is at least 5.0% less than the TDV Energy of the standard building or design.~~

~~C. **CALCULATION OF PHOTOVOLTAIC CREDIT.**~~

~~1. **Performance Approach Required.** In order to request a photovoltaic credit pursuant to this Section, an applicant for a building permit must use an applicable performance approach methodology specified in Section 22.82.050 to demonstrate compliance with the general compliance requirements of this Chapter.~~

~~2. **Calculation Inputs.** When using the CECPV Calculator to calculate a photovoltaic credit, the permit applicant shall input "Site-Specific Detailed Input" including roof pitch (or tilt), the azimuth and the site shading conditions.~~

~~3. **Documentation.** In order to receive a photovoltaic credit, an applicant for a building permit must include a copy of the CF-1R-PV form generated by the CECPV Calculator on the plans submitted for a building permit.~~

22.82.08070 Expiration.

This Chapter 22.82 shall expire upon the expiration date of the state's 2008 Building Energy Efficiency Standards ~~take effect~~.

Codes and Standards Title 24 Energy-Efficient Local Ordinances

Title: Climate Zone 6 Energy Cost-Effectiveness Study

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1.0 Executive Summary

This report presents the results of Gabel Associates' research, analysis and review of the feasibility and energy cost-effectiveness of building permit applicants exceeding the 2008 Building Energy Efficiency Standards by 15% in Climate Zone 6 in several case studies which reflect a variety of building types.

The study contained in this report may be useful in several ways to local governments who are considering adoption of green building ordinances. First, as a source of information to better understand and discuss the energy cost-effectiveness of exceeding the state's energy standards within a local ordinance; and second, as the cost-effectiveness study that may be included in an application to the California Energy Commission (CEC) by a local government seeking to meet the requirements specified in Section 10-106 of the California Code of Regulations, Title 24, Part 1, Locally Adopted Energy Standards.

The energy requirements of a local green building ordinance are not legally enforceable until the CEC has reviewed and approved the local energy standards as fulfilling all requirements of Section 10-106, the Ordinance has been adopted by the local jurisdiction and has filed with the Building Standards Commission.

The 2008 Building Energy Efficiency Standards, effective January 1, 2010, have been used as the baseline used in calculating the energy performance of efficiency measures summarized in this study.

2.0 Impacts of Exceeding the 2008 Title 24 Standards

The energy performance impacts of exceeding the performance requirements of the 2008 Title 24 Building Energy Efficiency Standards have been evaluated in Climate Zone 6 using several prototypical designs which collectively reflect a broad range of building types, including:

- Single family house: 2-story 2,025 sf
- Single family house: 2-story 4,500 sf
- Low-rise Multi-family building, 8 dwelling units: 2-story 8,442 sf
- High-rise Multi-family building, 40 dwelling units: 4-story 36,800 sf
- Nonresidential office building: 1-story, 10,580 sf
- Nonresidential office building: 5-story, 52,900 sf

The methodology used in the case studies is based on a design process for buildings that meet or exceed the energy standards, and includes the following:

- (a) Each prototype building design is tested for compliance with the 2008 Standards, and the mix of energy measures are adjusted using common construction options so the building first just meets the Standards. The set of energy measures chosen represent a reasonable combination which reflects how designers, builders and developers are likely to achieve a specified level of performance using a relatively low first incremental (additional) cost
- (b) Starting with that set of measures which is minimally compliant with the 2008 Standards, various energy measures are upgraded so that the building just exceeds the 2008 standards by 15%. The design choices by the consultant authoring this study are based on many years of experience with architects, builders, mechanical engineers; and general knowledge of the relative acceptance and preferences of many measures, as well as their incremental costs. This approach tends to reflect how building energy performance is typically evaluated for code compliance and how it's used to select design energy efficiency measures. Note that lowest simple payback with respect to building site energy is not the primary focus of selecting measures; but rather the requisite reduction of Title 24 Time Dependent Valuation(TDV) energy at a reasonable incremental cost consistent with other non-monetary but important design considerations.
- (c) A minimum and maximum range of incremental costs of added energy efficiency measures is established by a variety of research means. A construction cost estimator, Building Advisory LLC, was contracted to conduct research to obtain current measure cost information for many energy measures; and Gabel Associates performed its own additional research to establish first cost data. Site energy in kWh and therms, is calculated from the Title 24 simulation results to establish the annual energy savings, energy cost savings and CO₂-equivalent reductions in greenhouse gases.

2.1 Single Family Homes

The following energy design descriptions of single family building prototypes just meet the 2008 Title 24 Building Energy Efficiency Standards in Climate Zone 6:

CZ6: Single Family House 2,025 square feet, 2-story, 20.2% glazing/floor area ratio

Energy Efficiency Measures
R-38 Roof w/ Radiant Barrier
R-13 Walls
R-0 Slab on Grade
R-30 Raised Floor over Garage/Open at 2nd Floor
Low E2 Vinyl Windows, U=0.36, SHGC=0.30
Furnace: 80% AFUE
Air Conditioner: None
R-8 Attic Ducts
50 Gallon Gas Water Heater: EF=0.62

CZ6: Single Family House 4,500 square feet, 2-story, 22.0% glazing/floor area ratio

Energy Efficiency Measures
R-19 Roof w/o Radiant Barrier
R-13 Walls
R-19 Raised Floor
Low E2 Vinyl Windows, U=0.36, SHGC=0.30
(2) Furnaces: 80% AFUE
Air Conditioner: None
R-4.2 Attic Ducts
(2) Instantaneous Gas Water Heater: RE=0.80

Energy Efficiency Measures Needed to Meet the Ordinance

The following tables list the energy features and/or equipment included in the Title 24 base design, the efficient measure options, and an estimate of the incremental cost for each measure included **to improve the building performance to use 15% less TDV energy than the corresponding Title 24 base case design.**

Incremental Cost Estimate to Exceed Title 24 by 15%
Single Family Prototype: 2,025 SF, Option 1

2025 sf

Climate Zone 6

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-38 Roof w/ Radiant Barrier	-	\$ -	\$ -	\$ -
R-21 Walls (from R-13): 2,550 sf @ \$0.45 to \$0.70/sf	Upgrade	\$ 1,148	\$ 1,785	\$ 1,466
R-0 Slab on Grade	-	\$ -	\$ -	\$ -
R-19 Raised Floor over Garage/Open at 2nd Floor (from R-30): 448 sf @ \$0.25 to \$0.35/sf	Downgrade	\$ (157)	\$ (112)	\$ (134)
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	\$ -	\$ -	\$ -
Furnace: 80% AFUE	-	\$ -	\$ -	\$ -
Air Conditioner: None	-	\$ -	\$ -	\$ -
R-8 Attic Ducts	-	\$ -	\$ -	\$ -
Reduced Duct Leakage/Testing (HERS)	Upgrade	\$ 300	\$ 600	\$ 450
50 Gallon Gas Water Heater: EF=0.62	-	\$ -	\$ -	\$ -
Total Incremental Cost of Energy Efficiency Measures:		\$ 1,291	\$ 2,273	\$ 1,782
Total Incremental Cost per Square Foot:		\$ 0.64	\$ 1.12	\$ 0.88

Incremental Cost Estimate to Exceed Title 24 by 15%
Single Family Prototype: 2,025 SF, Option 2

2025 sf

Climate Zone 6

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-19 Roof w/ Radiant Barrier (from R-38 w/Radiant Barrier): 1,443 sf @ 0.30 to 0.45/sf	Downgrade	\$ (649)	\$ (433)	\$ (541)
R-19 Walls (from R-13): 2,550 sf @ \$0.31 to \$0.54/sf	Upgrade	\$ 791	\$ 1,377	\$ 1,084
R-0 Slab on Grade	-	\$ -	\$ -	\$ -
R-19 Raised Floor over Garage/Open at 2nd Floor (from R-30): 448 sf @ \$0.25 to \$0.35/sf	Downgrade	\$ (157)	\$ (112)	\$ (134)
Quality Insulation Installation (HERS)	Upgrade	\$ 450	\$ 600	\$ 525
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	\$ -	\$ -	\$ -
Furnace: 80% AFUE	-	\$ -	\$ -	\$ -
Air Conditioner: None	-	\$ -	\$ -	\$ -
R-6 Attic Ducts (from R-8)	Downgrade	\$ (325)	\$ (225)	\$ (275)
Reduced Duct Leakage/Testing (HERS)	Upgrade	\$ 300	\$ 600	\$ 450
50 Gallon Gas Water Heater: EF=0.62	-	\$ -	\$ -	\$ -
Pipe Insulation	Upgrade	\$ 150	\$ 200	\$ 175
Total Incremental Cost of Energy Efficiency Measures:		\$ 559	\$ 2,007	\$ 1,283
Total Incremental Cost per Square Foot:		\$ 0.28	\$ 0.99	\$ 0.63

Incremental Cost Estimate to Exceed Title 24 by 15%
Single Family Prototype: 4,500 SF, Option 1

4500 sf

Climate Zone 6

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-30 Roof w/ Radiant Barrier (from R-19 w/o Radiant Barrier): 2,700 sf @ 0.50 to 0.65/sf	Upgrade	\$ 1,350	\$ 1,755	\$ 1,553
R-13 Walls	-	\$ -	\$ -	\$ -
R-19 Raised Floor	-	\$ -	\$ -	\$ -
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	\$ -	\$ -	\$ -
(2) Furnaces: 80% AFUE	-	\$ -	\$ -	\$ -
Air Conditioner: None	-	\$ -	\$ -	\$ -
R-6 Attic Ducts (from R-4.2)	-	\$ -	\$ -	\$ -
Reduced Duct Leakage/Testing (HERS)	Upgrade	\$ 600	\$ 1,200	\$ 900
(2) Instantaneous Gas Water Heater: RE=0.80	-	\$ -	\$ -	\$ -
Pipe Insulation (1705 sf house)	Upgrade	\$ 300	\$ 400	\$ 350
Total Incremental Cost of Energy Efficiency Measures:		\$ 2,250	\$ 3,355	\$ 2,803
Total Incremental Cost per Square Foot:		\$ 0.50	\$ 0.75	\$ 0.62

Incremental Cost Estimate to Exceed Title 24 by 15%
Single Family Prototype: 4,500 SF, Option 2

4500 sf

Climate Zone 6

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-30 Roof w/ Radiant Barrier (from R-19 w/o Radiant Barrier): 2,700 sf @ 0.50 to 0.65/sf	Upgrade	\$ 1,350	\$ 1,755	\$ 1,553
R-15 Walls (from R-13): 2,518 sf @ \$0.14 to \$0.18/sf	Upgrade	\$ 353	\$ 453	\$ 403
R-19 Raised Floor	-	\$ -	\$ -	\$ -
Quality Insulation Installation (HERS)	Upgrade	\$ 450	\$ 600	\$ 525
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	\$ -	\$ -	\$ -
(2) Furnaces: 80% AFUE	-	\$ -	\$ -	\$ -
Air Conditioner: None	-	\$ -	\$ -	\$ -
R-4.2 Attic Ducts	-	\$ -	\$ -	\$ -
(2) Instantaneous Gas Water Heater: RE=0.80	-	\$ -	\$ -	\$ -
Total Incremental Cost of Energy Efficiency Measures:		\$ 2,153	\$ 2,808	\$ 2,480
Total Incremental Cost per Square Foot:		\$ 0.48	\$ 0.62	\$ 0.55

Incremental Cost Estimate to Exceed Title 24 by 15%
Single Family Prototype: 4,500 SF, Option 3

4500 sf

Climate Zone 6

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-19 Roof w/ Radiant Barrier (from R-19 w/o Radiant Barrier): 2,700 sf @ 0.25 to 0.30/sf	Upgrade	\$ 675	\$ 810	\$ 743
R-21 Walls (from R-13): 2,518 sf @ \$0.45 to \$0.50/sf	Upgrade	\$ 1,133	\$ 1,259	\$ 1,196
R-19 Raised Floor	-	\$ -	\$ -	\$ -
Low E2 Vinyl Windows, U=0.36, SHGC=0.30	-	\$ -	\$ -	\$ -
(2) Furnaces: 80% AFUE	-	\$ -	\$ -	\$ -
Air Conditioner: None	-	\$ -	\$ -	\$ -
R-4.2 Attic Ducts	-	\$ -	\$ -	\$ -
(2) Instantaneous Gas Water Heater: RE=0.82 (from 0.80)	Upgrade	\$ 400	\$ 600	\$ 500
Total Incremental Cost of Energy Efficiency Measures:		\$ 2,208	\$ 2,669	\$ 2,439
Total Incremental Cost per Square Foot:		\$ 0.49	\$ 0.59	\$ 0.54

2.2 Low-rise Multi-family Residential Building

The following is the energy design description of the low-rise multifamily building prototype which just meets the 2008 Title 24 Building Energy Efficiency Standards:

CZ6: Low-rise Multi-family: 2-story 8,442 square feet, 8 units, 12.5% glazing

Energy Efficiency Measures
R-19 Roof w/ Radiant Barrier
R-13 Walls
R-0 Slab on Grade
Low E Vinyl Windows, U=0.40, SHGC=0.36
(8) Furnaces: 80% AFUE
Air Conditioners: None
R-4.2 Attic Ducts
(8) 40 Gallon Gas Water Heaters: EF=0.60

Energy Efficiency Measures Needed to Meet the Ordinance

The following tables list the energy features and/or equipment included in the Title 24 base design, the efficient measure options, and an estimate of the incremental cost for each measure included **to improve the building performance to use 15% less TDV energy than the corresponding Title 24 base case design.**

Climate Zone 6 Energy Measures Needed to Meet the Ordinance

Incremental Cost Estimate to Exceed Title 24 by 15%

Single Family Prototype: 8,442 SF, Option 1

8442 sf

Climate Zone 6

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-30 Roof w/ Radiant Barrier (from R-19 w/Radiant Barrier): 4,221 sf @ 0.25 to 0.35/sf	Upgrade	\$ 1,055	\$ 1,477	\$ 1,266
R-21 Walls (from R-13): 10,146 sf @ \$0.45 to \$0.70/sf	Upgrade	\$ 4,566	\$ 7,102	\$ 5,834
R-0 Slab on Grade	-	\$ -	\$ -	\$ -
Low E Vinyl Windows, U=0.40, SHGC=0.36	-	\$ -	\$ -	\$ -
(8) Furnaces: 80% AFUE	-	\$ -	\$ -	\$ -
Air Conditioners: None	-	\$ -	\$ -	\$ -
R-8 Attic Ducts (from R-4.2)	Upgrade	\$ 2,000	\$ 3,000	\$ 2,500
(8) 40 Gallon Gas Water Heaters: EF=0.63 (from EF=0.60)	Upgrade	\$ 800	\$ 2,000	\$ 1,400
Total Incremental Cost of Energy Efficiency Measures:		\$ 8,421	\$ 13,580	\$ 11,000
Total Incremental Cost per Square Foot:		\$ 1.00	\$ 1.61	\$ 1.30

Incremental Cost Estimate to Exceed Title 24 by 15%

Single Family Prototype: 8,442 SF, Option 2

8442 sf

Climate Zone 6

Energy Efficiency Measures	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-19 Roof w/ Radiant Barrier	-	\$ -	\$ -	\$ -
R-13 Walls	-	\$ -	\$ -	\$ -
R-0 Slab on Grade	-	\$ -	\$ -	\$ -
Dual Clear Vinyl Windows, U=0.50, SHGC=0.60 (from Low E, U=0.40, SHGC=0.36): 1,055 sf @ \$1.40 - \$1.75 / sf	Downgrade	\$ (1,846)	\$ (1,477)	\$ (1,662)
(8) Furnaces: 80% AFUE	-	\$ -	\$ -	\$ -
Air Conditioners: None	-	\$ -	\$ -	\$ -
R-4.2 Attic Ducts	-	\$ -	\$ -	\$ -
(8) Instantaneous Gas Water Heaters: EF=0.79 (from (8) 40 Gallon Gas, 0.60 EF)	Upgrade	\$ 7,600	\$ 13,600	\$ 10,600
Total Incremental Cost of Energy Efficiency Measures:		\$ 5,754	\$ 12,123	\$ 8,938
Total Incremental Cost per Square Foot:		\$ 0.68	\$ 1.44	\$ 1.06

2.3 High-rise Multifamily Building

The following is the energy design description of the high-rise multifamily building prototype which just meets the 2008 Title 24 Building Energy Efficiency Standards:

Title 24 Base Case Design for Options 1 & 2

Energy Efficiency Measures to Meet Title 24
R-26 (4") rigid insulation; Cool Roof Reflectance=0.30, Emittance=0.75
R-19 in Metal Frame Walls
R-4 (1.25") Raised Slab over parking garage
Metal Windows, NFRC U=0.66, SHGC=0.39
PTC 1-ton units: COP=3, EER=11.1
Central DHW boiler: 95% AFUE and recirculating system w/ timer-temperature controls

Title 24 Base Case Design for Option 3

Energy Efficiency Measures to Meet Title 24
R-26 (4") rigid insulation; No Cool Roof
R-19 in Metal Frame Walls
R-2 (5/8") Raised Slab over parking garage
Default Dual Metal Windows, U=0.79, SHGC=0.70
2-pipe fan coil, 80% AFUE boiler, no cooling
Central DHW boiler: 80% AFUE and recirculating system w/ timer-temperature controls

CZ6: High-rise Residential: 4-story 36,800 sf, 40 units, Window Wall Ratio=35.2%

Energy Efficiency Measures Needed to Meet the Ordinance

The following tables list the energy features and/or equipment included in the Title 24 base design, the efficient measure options, and an estimate of the incremental cost for each measure included **to improve the building performance to use 15% less TDV energy than the corresponding Title 24 base case design.**

Incremental Cost Estimate to Exceed Title 24 by 15%
High-rise Residential Prototype: 36,800 SF, Option 1

Climate Zone 6

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-26 (4") rigid insulation; No Cool Roof, 9,200 sf @\$0.30 - \$0.40 sf	Downgrade	\$ (3,174)	\$ (4,232)	\$ (3,703)
R-19 in Metal Frame Walls	-	\$ -	\$ -	\$ -
R-4 (1.25" K-13 spray-on) Raised Slab over parking garage	-	\$ -	\$ -	\$ -
Metal Windows, NFRC U=0.71, SHGCc=0.27; 6,240 sf @ \$0.10 to \$0.35/sf	Upgrade	\$ 920	\$ 3,220	\$ 2,070
PTC 1-ton units: COP=3, EER=11.1	-	\$ -	\$ -	\$ -
Central DHW boiler: 95% AFUE and recirculating system w/ timer-temperature controls	-	\$ -	\$ -	\$ -
Solar Hot Water System, 30% Net Solar Fraction	Upgrade	\$ 40,000	\$ 55,000	\$ 47,500
Total Incremental Cost of Energy Efficiency Measures:		\$ 37,746	\$ 53,988	\$ 45,867
Total Incremental Cost per Square Foot:		\$ 1.03	\$ 1.47	\$ 1.25

Incremental Cost Estimate to Exceed Title 24 by 15%
High-rise Residential Prototype: 36,800 SF, Option 2

Climate Zone 6

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-26 (4") rigid insulation; Cool Roof Refl=0.55, Emitt=0.75 9,200 sf @\$0.15 - \$0.20 sf	Upgrade	\$ 1,380	\$ 1,840	\$ 1,610
R-19 in Metal Frame Walls	-	\$ -	\$ -	\$ -
R-6 (2" K-13 spray-on) Raised Slab over parking garage 9,200 sf @0.70 to \$1.00 sf	Upgrade	\$ 6,440	\$ 9,200	\$ 7,820
Vinyl Super Low-E, NFRC U=0.39, SHGCc=0.23; 6,240 sf @ \$1.40 to \$1.60/sf	Upgrade	\$ 8,736	\$ 9,984	\$ 9,360
PTC 1-ton units: COP=3, EER=11.1	-	\$ -	\$ -	\$ -
Central DHW boiler: 95% AFUE and recirculating system w/ timer-temperature controls	-	\$ -	\$ -	\$ -
Solar Hot Water System, 5% Net Solar Fraction	Upgrade	\$ 8,000	\$ 10,000	\$ 9,000
Total Incremental Cost of Energy Efficiency Measures:		\$ 24,556	\$ 31,024	\$ 27,790
Total Incremental Cost per Square Foot:		\$ 0.67	\$ 0.84	\$ 0.76

Incremental Cost Estimate to Exceed Title 24 by 15%
High-rise Residential Prototype: 36,800 SF, Option 3

Climate Zone 6

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-26 (4") rigid insulation; No Cool Roof	-	\$ -	\$ -	\$ -
R-19 in Metal Frame Walls	-	\$ -	\$ -	\$ -
R-6 (2" K-13 spray-on) Raised Slab over parking garage 9,200 sf @0.70 to \$1.00/sf	-	\$ -	\$ -	\$ -
Metal Low-E, NFRC U=0.66, SHGC=0.39; 6,240 sf @ \$5.00 to \$8.00/sf	Upgrade	\$ 31,200	\$ 49,920	\$ 40,560
PTC 1-ton units: COP=3, EER=11.1	-	\$ -	\$ -	\$ -
Central DHW boiler: 95% AFUE and recirculating system w/ timer- temperature controls	-	\$ -	\$ -	\$ -
Total Incremental Cost of Energy Efficiency Measures:		\$ 31,200	\$ 49,920	\$ 40,560
Total Incremental Cost per Square Foot:		\$ 0.85	\$ 1.36	\$ 1.10

2.4 Nonresidential Buildings

The following energy design descriptions of nonresidential building prototypes just meet the 2008 Title 24 Building Energy Efficiency Standards in Climate Zone 6:

CZ6: Nonresidential 1-story office building: 10,580 sf, Window Wall Ratio= 37.1%

Title 24 Base Case Design, Options 1 and 2

Energy Efficiency Measures to Meet Title 24
R-19 on Metal Span Deck, Cool Roof Refl.=0.69, Emitt=0.75
R-19 in Metal Frame Walls
R-0 (un-insulated) slab-on-grade 1st floor
Dual metal glazing U=0.71 and SHGCc=0.52, 3' overhangs
Lighting = 0.858 w/sf: Open Office Areas: (60) 2-lamp T8 fixtures @58w each; no lighting controls; (24) 18w recessed CFLs. Small Offices: (56 2-lamp T8 fixtures, mandatory (on/off) occupancy sensors; (40) 18w recessed CFLs. Support Areas: (32) 18w recessed CFLs; (48) 13w CFL wall sconces; no controls.
(4) 10-ton Packaged DX units EER=11.0, 4,000 cfm; 80% AFUE furnaces; all standard efficiency fan motors
R-8 duct insulation w/ ducts on the roof
Standard 50 gallon gas water heater, EF=0.58

Title 24 Base Case Design, Option 3

Energy Efficiency Measures to Meet Title 24
R-19 on Metal Span Deck, Cool Roof Refl.=0.69, Emitt=0.75
R-19 in Metal Frame Walls
R-0 (un-insulated) slab-on-grade 1st floor
Dual metal glazing U=0.71 and SHGCc=0.52, 3' overhangs
Lighting = 0.858 w/sf: Open Office Areas: (60) 2-lamp T8 fixtures @58w each; no lighting controls; (24) 18w recessed CFLs. Small Offices: (56 2-lamp T8 fixtures, mandatory (on/off) occupancy sensors; (40) 18w recessed CFLs. Support Areas: (32) 18w recessed CFLs; (48) 13w CFL wall sconces; no controls.
(8) 5-ton Packaged DX units SEER=13.0, 2,000 cfm; 93% AFUE furnaces; all standard efficiency fan motors
R-8 duct insulation w/ ducts on the roof
Standard 50 gallon gas water heater, EF=0.58

Energy Efficiency Measures Needed to Meet the Ordinance

The following tables list the energy features and/or equipment included in the Title 24 base design, the efficient measure options, and an estimate of the incremental cost for each measure included **to improve the building performance to use 15% less TDV energy than the corresponding Title 24 base case design.**

Incremental Cost Estimate to Exceed Title 24 by 15%
Nonresidential Prototype: 10,580 SF, Option 1

Climate Zone 6

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-19 on Metal Span Deck, Cool Roof Refl.=0.69, Emitt=0.75	-	\$ -	\$ -	\$ -
R-19 in Metal Frame Walls	-	\$ -	\$ -	\$ -
R-0 (un-insulated) slab-on-grade 1st floor	-	\$ -	\$ -	\$ -
Dual metal glazing U=0.71 and SHGCc=0.27, 3' overhangs 3,200 sf @ \$2.50 to \$3.50/sf	Upgrade	\$ 8,000	\$ 11,200	\$ 9,600
Lighting = 0.858 w/sf: Open Office Areas: (60) 2-lamp T8 fixtures @58w each; no lighting controls; (24) 18w recessed CFLs. Small Offices: (56) 2-lamp T8 fixtures, mandatory (on/off) occupancy sensors; (40) 18w recessed CFLs. Support Areas: (32) 18w recessed CFLs; (48) 13w CFL wall sconces; no controls.	-	\$ -	\$ -	\$ -
(4) 10-ton Packaged DX units EER=11.0, 4,000 cfm; 80% AFUE furnaces; all standard efficiency fan motors	-	\$ -	\$ -	\$ -
R-8 duct insulation w/ ducts on roof: sealed w/ HERS testing	Upgrade	\$ 2,000	\$ 3,000	\$ 2,500
Standard 50 gallon gas water heater, EF=0.58	-	\$ -	\$ -	\$ -
Total Incremental Cost of Energy Efficiency Measures:		\$ 10,000	\$ 14,200	\$ 12,100
Total Incremental Cost per Square Foot:		\$ 0.95	\$ 1.34	\$ 1.14

Incremental Cost Estimate to Exceed Title 24 by 15%
Nonresidential Prototype: 10,580 SF, Option 2

Climate Zone 6

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-24 on Metal Span Deck, Cool Roof Refl.=0.69, Emitt=0.75	-	\$ -	\$ -	\$ -
R-19 in Metal Frame Walls	-	\$ -	\$ -	\$ -
R-0 (un-insulated) slab-on-grade 1st floor	-	\$ -	\$ -	\$ -
Dual metal glazing U=0.71 and SHGCc=0.27, 3' overhangs 3,200 sf @ \$2.50 to \$3.50/sf	Upgrade	\$ 8,000	\$ 11,200	\$ 9,600
Lighting = 0.858 w/sf: Open Office Areas: (60) 2-lamp T8 fixtures @58w each; no lighting controls; (24) 18w recessed CFLs. Small Offices: (56) 2-lamp T8 fixtures, (28) multi-level occupancy sensors @ \$75 to \$100 each; (40) 18w recessed CFLs. Support Areas: (32) 18w recessed CFLs; (48) 13w CFL wall sconces; no controls.	Upgrade	\$ 2,100	\$ 2,800	\$ 2,450
(4) 10-ton Packaged DX units EER=11.0, 4,000 cfm; 80% AFUE furnaces; all standard efficiency fan motors	-	\$ -	\$ -	\$ -
R-8 duct insulation w/ ducts on the roof	-	\$ -	\$ -	\$ -
Standard 50 gallon gas water heater, EF=0.58	-	\$ -	\$ -	\$ -
Total Incremental Cost of Energy Efficiency Measures:		\$ 10,100	\$ 14,000	\$ 12,050
Total Incremental Cost per Square Foot:		\$ 0.95	\$ 1.32	\$ 1.14

Incremental Cost Estimate to Exceed Title 24 by 15%
Nonresidential Prototype: 10,580 SF, Option 3

Climate Zone 6

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-24 on Metal Span Deck, Cool Roof Refl.=0.69, Emitt=0.75	-	\$ -	\$ -	\$ -
R-19 in Metal Frame Walls	-	\$ -	\$ -	\$ -
R-0 (un-insulated) slab-on-grade 1st floor	-	\$ -	\$ -	\$ -
Dual metal glazing U=0.71 and SHGC=0.40, 3' overhangs 3,200 sf @ \$1.50 to \$2.50/sf	Upgrade	\$ 4,800	\$ 8,000	\$ 6,400
Lighting = 0.858 w/sf: Open Office Areas: (60) 2-lamp T8 fixtures @58w each; no lighting controls; (24) 18w recessed CFLs. Small Offices: (56) 2-lamp T8 fixtures, mandatory (on/off) occupancy sensors; (40) 18w recessed CFLs. Support Areas: (32) 18w recessed CFLs; (48) 13w CFL wall sconces; no controls.	-	\$ -	\$ -	\$ -
(8) 5-ton Packaged DX units SEER=13.0, 2,000 cfm; 93% AFUE furnaces; fixed-temp integrated air-economizers	-	\$ 3,600	\$ 4,800	\$ 4,200
R-8 duct insulation w/ ducts on roof: sealed w/ HERS testing	Upgrade	\$ 2,000	\$ 3,000	\$ 2,500
Standard 50 gallon gas water heater, EF=0.58	-	\$ -	\$ -	\$ -
Total Incremental Cost of Energy Efficiency Measures:		\$ 10,400	\$ 15,800	\$ 13,100
Total Incremental Cost per Square Foot:		\$ 0.98	\$ 1.49	\$ 1.24

CZ6: Nonresidential 5-story office building: 52,900 sf, Window Wall Ratio= 29.1%

Title 24 Base Case Design, Option 1

Energy Efficiency Measures to Meet Title 24
R-19 on Metal Deck; cool roof Reflect=0.55, Emittance=0.75
R-19 in Metal Frame Walls
R-0 (un-insulated) slab-on-grade 1st floor
NFRC glazing U=0.57, SHGC=0.407 (COG SHGC=0.38)
Lighting = 0.802 w/sf: Open Office Areas: (300) 2-lamp T8 fixtures @58w each; no lighting controls; (120) 18w recessed CFLs. Small Offices: (280) 2-lamp T8 fixtures, (140) multi-level occupancy sensors on T8s; (200) 18w recessed CFLs. Support Areas: (160) 18w recessed CFLs; (240) 13w CFL wall sconces; no controls.
(5) 40-ton Packaged VAV units EER=9.5; 78% TE furnaces; standard efficiency fan motors; 20% VAV boxes w/ electric reheat; DDC controls; differential temp. integrated air economizers
R-8 duct insulation w/ ducts in conditioned
(5) Instantaneous Electric Water Heaters EF=0.92

Title 24 Base Case Design, Option 2

Energy Efficiency Measures to Meet Title 24
R-19 on Metal Deck; cool roof Reflect=0.55, Emittance=0.75
R-19 in Metal Frame Walls
R-0 (un-insulated) slab-on-grade 1st floor
NFRC glazing U=0.57, SHGC=0.407 (COG SHGC=0.38)
Lighting = 0.802 w/sf: Open Office Areas: (300) 2-lamp T8 fixtures @58w each; no lighting controls; (120) 18w recessed CFLs. Small Offices: (280) 2-lamp T8 fixtures, (140) multi-level occupancy sensors on T8s; (200) 18w recessed CFLs. Support Areas: (160) 18w recessed CFLs; (240) 13w CFL wall sconces; no controls.
(5) 40-ton Packaged VAV units EER=9.5; 78% TE furnaces; standard efficiency fan motors; 20% VAV boxes w/ hot water reheat; DDC controls; differential temp. integrated air economizers
R-8 duct insulation w/ ducts in conditioned
(5) Instantaneous Electric Water Heaters EF=0.92

Title 24 Base Case Design, Option 3

Energy Efficiency Measures to Meet Title 24
R-26 on Metal Deck, no cool roof
R-19 in Metal Frame Walls
R-0 (un-insulated) slab-on-grade 1st floor
NFRC glazing U=0.57, SHGC=0.544 (COG SHGC=0.54)
Lighting = 0.802 w/sf: Open Office Areas: (300) 2-lamp T8 fixtures @58w each; no lighting controls; (120) 18w recessed CFLs. Small Offices: (280) 2-lamp T8 fixtures, mandatory (on/off) occupancy sensors on T8s; (200) 18w recessed CFLs. Support Areas: (160) 18w recessed CFLs; (240) 13w CFL wall sconces; no controls.
Built-up VAV system, 80% boiler, 180-ton screw chiller 1.2 kw/ton, one AHU per floor, standard efficiency VSD fan motors; 20% VAV boxes w/ hot water reheat; DDC controls; differential temp. integrated air economizers
R-8 duct insulation w/ ducts in conditioned
(5) Instantaneous Electric Water Heaters EF=0.92

Incremental Cost Estimate to Exceed Title 24 by 15%
Nonresidential Prototype: 52,900 SF, Option 1

Climate Zone 6

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-26 on Metal Deck; cool roof Reflect=0.70, Emittance=0.75 10,580 sf @ \$0.90 to \$1.60/sf	Upgrade	\$ 9,522	\$ 16,928	\$ 13,225
R-19 in Metal Frame Walls	-	\$ -	\$ -	\$ -
R-0 (un-insulated) slab-on-grade 1st floor	-	\$ -	\$ -	\$ -
NFRC glazing U=0.573, SHGC=0.312 (COG SHGC=0.27) 16,000 sf @ \$1.00 to \$2.00/sf	Upgrade	\$ 16,000	\$ 32,000	\$ 24,000
Lighting = 0.696 w/sf: Open Office Areas: (160) HO 2-lamp T8 fixtures @74w each; no lighting controls; (120) 18w recessed CFLs. Small Offices: (280) 2-lamp T8 fixtures, (140) multi-level occupancy sensors on T8s; (200) 18w recessed CFLs. Support Areas: (160) 18w recessed CFLs; (240) 13w CFL wall sconces; no controls. Net saving of \$36 to \$40 per new fixture in open offices because of a total reduction of 46% of T8 fixtures in these areas	Upgrade	\$ (5,760)	\$ (6,400)	\$ (6,080)
(5) 40-ton Packaged VAV units EER=9.5; 78% TE furnaces; Premium efficiency fan motors; 20% VAV boxes w/ hot water reheat; DDC controls; differential temp. integrated air economizers	Upgrade	\$ 54,400	\$ 81,350	\$ 67,875
R-8 duct insulation w/ ducts in conditioned	-	\$ -	\$ -	\$ -
92% RE boiler for service hot water	Upgrade	\$ 8,000	\$ 12,000	\$ 10,000
Total Incremental Cost of Energy Efficiency Measures:		\$ 82,162	\$ 135,878	\$ 109,020
Total Incremental Cost per Square Foot:		\$ 1.55	\$ 2.57	\$ 2.06

Incremental Cost Estimate to Exceed Title 24 by 15%
Nonresidential Prototype: 52,900 SF, Option 2

Climate Zone 6

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-26 on Metal Deck; cool roof Reflect=0.72, Emittance=0.75 10,580 sf @ \$0.90 to \$1.60/sf	Upgrade	\$ 9,522	\$ 16,928	\$ 13,225
R-19 in Metal Frame Walls	-	\$ -	\$ -	\$ -
R-0 (un-insulated) slab-on-grade 1st floor	-	\$ -	\$ -	\$ -
NFRC glazing U=0.54, SHGC=0.30 (COG SHGC=0.27) 16,000 sf @ \$3.00 to \$4.00/sf	Upgrade	\$ 48,000	\$ 64,000	\$ 56,000
Lighting = 0.696 w/sf: Open Office Areas: (160) HO 2-lamp T8 fixtures @74w each; no lighting controls; (120) 18w recessed CFLs. Small Offices: (280) 2-lamp T8 fixtures, (140) multi-level occupancy sensors on T8s; (200) 18w recessed CFLs. Support Areas: (160) 18w recessed CFLs; (240) 13w CFL wall sconces; no controls. Net saving of \$38 to \$42 per new fixture in open offices because of a total reduction of 46% of T8 fixtures in these areas	Upgrade	\$ (5,760)	\$ (6,400)	\$ (6,080)
(5) 40-ton Packaged VAV units EER=9.5; 78% TE furnaces; Premium efficiency fan motors; 20% VAV boxes w/ hot water reheat; DDC controls; differential temp. integrated air economizers	Upgrade	\$ 1,500	\$ 2,500	\$ 2,000
R-8 duct insulation w/ ducts in conditioned	-	\$ -	\$ -	\$ -
92% RE boiler for service hot water	Upgrade	\$ 8,000	\$ 12,000	\$ 10,000
Total Incremental Cost of Energy Efficiency Measures:		\$ 61,262	\$ 89,028	\$ 75,145
Total Incremental Cost per Square Foot:		\$ 1.16	\$ 1.68	\$ 1.42

Incremental Cost Estimate to Exceed Title 24 by 15%
Nonresidential Prototype: 52,900 SF, Option 3

Climate Zone 6

Energy Efficiency Measures to Exceed Title 24 by 15%	Change Type	Incremental Cost Estimate		
		Min	Max	Avg
R-26 on Metal Deck, no cool roof	-	\$ -	\$ -	\$ -
R-19 in Metal Frame Walls	-	\$ -	\$ -	\$ -
R-0 (un-insulated) slab-on-grade 1st floor	-	\$ -	\$ -	\$ -
NFRC glazing U=0.57, SHGC=0.312 (COG SHGC=0.27) 16,000 sf @ \$1.50 to \$2.50/sf	Upgrade	\$ 24,000	\$ 40,000	\$ 32,000
Lighting = 0.797 w/sf: Open Office Areas: (300) 2-lamp T8 fixtures @58w each; no lighting controls; (120) 18w recessed CFLs. Small Offices: (280) 2-lamp T8 fixtures, (140) multi-level occupancy sensors on T8s @ \$75 to \$100 each; (200) 18w recessed CFLs. Support Areas: (160) 18w recessed CFLs; (240) 13w CFL wall sconces; no controls.	Upgrade	\$ 10,500	\$ 14,000	\$ 12,250
Built-up VAV system, 80% boiler, 180-ton screw chiller 1.2 kw/ton, one AHU per floor, standard efficiency VSD fan motors; 20% VAV boxes w/ hot water reheat; DDC controls; differential temp. integrated air economizers	-	\$ -	\$ -	\$ -
R-8 duct insulation w/ ducts in conditioned	-	\$ -	\$ -	\$ -
DHW from 80% RE boiler used for space heating	Upgrade	\$ 6,000	\$ 10,000	\$ 8,000
Total Incremental Cost of Energy Efficiency Measures:		\$ 40,500	\$ 64,000	\$ 52,250
Total Incremental Cost per Square Foot:		\$ 0.77	\$ 1.21	\$ 0.99

3.0 Cost Effectiveness

The summary of results in this section are based upon the following assumptions:

- Annual site electricity (kWh) and natural gas (therms) saved are calculated using a beta version of the state-approved energy compliance software for the 2008 Building Energy Efficiency Standards, Micropas 8.
- Average residential utility rates of \$0.159/kWh for electricity and \$0.94/therm for natural gas in current constant dollars; nonresidential rates are time-of-use rate schedules modeled explicitly in the DOE-2.1E computer simulation: Southern California Edison GS-1 schedule for electricity and Southern California Gas GN-10 schedule for natural gas.
- No change (i.e., no inflation or deflation) of utility rates in constant dollars
- No increase in summer temperatures from global climate change

The Simple Payback data includes a cost-effectiveness analysis of the Ordinance with respect to each case study building design and assumes:

- No external cost of global climate change -- and corresponding value of additional investment in energy efficiency and CO₂ reduction – is included
- The cost of money (e.g, opportunity cost) invested in the incremental cost of energy efficiency measures is not included.

3.1 New Single Family Houses

Climate Zone 6: 15% Better Than Title 24

Single Family

Building Description	Total Annual KWh Saving	Total Annual Therms Saving	Incremental First Cost (\$)	Annual Energy Cost Savings (\$)	Simple Payback (Years)
2,025 sf (Option 1)	87	49	\$1,782	\$60	29.8
2,025 sf (Option 2)	81	50	\$1,283	\$60	21.4
Averages:	84	50	\$1,533	\$60	25.6

Annual Reduction in CO2-equivalent: 618 lb./building-year
0.30 lb./sq.ft.-year

Building Description	Total Annual KWh Saving	Total Annual Therms Saving	Incremental First Cost (\$)	Annual Energy Cost Savings (\$)	Simple Payback (Years)
4,500 sf (Option 1)	194	44	\$2,803	\$72	38.8
4,500 sf (Option 2)	207	43	\$2,481	\$73	33.8
4,500 sf (Option 3)	189	45	\$2,439	\$72	33.7
Averages:	197	44	\$2,574	\$73	35.4

Annual Reduction in CO2-equivalent: 601 lb./building-year
0.13 lb./sq.ft.-year

3.2 Low-rise Multi-family Building

Climate Zone 6: 15% Better Than Title 24

Low-rise Apartments

Building Description	Total Annual KWh Saving	Total Annual Therms Saving	Incremental First Cost (\$)	Annual Energy Cost Savings (\$)	Simple Payback (Years)
8-Unit, 8,442 sf (Option 1)	470	227	\$11,001	\$288	38.2
8-Unit, 8,442 sf (Option 2)	-1221	483	\$8,939	\$260	34.4
Averages:	-376	355	\$9,970	\$274	36.3

Annual Reduction in CO2-equivalent: 3,963 lb./building-year
0.47 lb./sq.ft.-year

3.3 High-rise Multi-family Building

Climate Zone 6: 15% Better Than Title 24

High-rise Apartments

Building Description	Total Annual KWh Saving	Total Annual Therms Saving	Incremental First Cost (\$)	Annual Energy Cost Savings (\$)	Simple Payback (Years)
36,800 sf (Option 1)	1655	1110	\$45,867	\$1,307	35.1
36,800 sf (Option 2)	4800	555	\$27,790	\$1,285	21.6
36,800 sf (Option 3)	27657	-658	\$40,560	\$3,779	10.7
Averages:	11371	336	\$38,072	\$2,123	22.5

*Annual Reduction in CO2-equivalent: 11143 lb./building-year
0.30 lb./sq.ft.-year*

3.4 Nonresidential Buildings

Climate Zone 6: 15% Better Than Title 24

1-Story Office Building

Building Description	Total Annual KWh Saving	Total Annual Therms Saving	Incremental First Cost (\$)	Annual Energy Cost Savings (\$)	Simple Payback (Years)
10,580 sf (Option 1)	13427	-53	\$12,100	\$2,957	4.1
10,580 sf (Option 2)	5481	356	\$12,050	\$1,400	8.6
10,580 sf (Option 3)	12307	17	\$13,100	\$1,026	12.8
Averages:	10405	107	\$12,417	\$1,794	8.5

*Annual Reduction in CO2-equivalent: 5,924 lb./building-year
0.56 lb./sq.ft.-year*

Climate Zone 6: 15% Better Than Title 24

5-Story Office Building

Building Description	Total Annual KWh Saving	Total Annual Therms Saving	Incremental First Cost (\$)	Annual Energy Cost Savings (\$)	Simple Payback (Years)
52,900 sf (Option 1)	87180	-3439	\$109,020	\$17,289	6.3
52,900 sf (Option 2)	75234	-2433	\$75,145	\$15,720	4.8
52,900 sf (Option 3)	99931	-2733	\$52,250	\$21,244	2.5
Averages:	87448	-2868	\$78,805	\$18,084	4.5

*Annual Reduction in CO2-equivalent: 5,964 lb./building-year
0.11 lb./sq.ft.-year*

Conclusions

Regardless of the building design, occupancy profile and number of stories, the incremental improvement in overall annual energy performance of buildings in exceeding the 2008 Title 24 Building Energy Efficiency Standards appears cost-effective. However, each building's overall design, occupancy type and specific design choices may allow for a large range of incremental first cost and payback. As with simply meeting the requirements of the Title 24 energy standards, a permit applicant complying with the additional energy requirements of a local green building ordinance should carefully analyze building energy performance to reduce incremental first cost and the payback for the required additional energy efficiency measures.



PROCLAMATION

Anti-Bullying Awareness Week *November 14-20, 2010*

WHEREAS, Martial Arts Family Fitness is observing and celebrating *Anti-Bullying Awareness Week* beginning November 14, 2010; and

WHEREAS, hundreds of area children have benefited from instruction on anti-bullying methods, physical fitness and martial arts, as well as life skills through the programs offered at Martial Arts Family Fitness; and

WHEREAS, many organizations, school districts, educators and parents have publicly expressed concern about the bullying of children; and

WHEREAS, it is important that we acknowledge and heighten awareness about the serious issues and the negative effects of bullying, including the long-term damage it can cause in our youth, which may include the risks of teenage suicide; and

WHEREAS, providing a safe physical and emotional environment is a significant goal and a personal responsibility of each individual; and

WHEREAS, it is time for us to speak out **AGAINST** bullying and support our children.

NOW, THEREFORE, I, HELENE SCHNEIDER, by virtue of the authority vested in me as Mayor of the City of Santa Barbara, California, do hereby proclaim **November 14-20, 2010** as **ANTI-BULLYING AWARENESS WEEK** and encourage all citizens to renew their commitment to helping children find their voice.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Santa Barbara, California, to be affixed this 16th day of November, 2010.

Helene Schneider
Mayor





CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 16, 2010

TO: Mayor and Councilmembers

FROM: Administration Division, Airport Department

SUBJECT: Santa Barbara Beautiful Grant

RECOMMENDATION: That Council:

- A. Authorize the receipt of grant funds totaling \$40,000 from Santa Barbara Beautiful; and
- B. Increase appropriations and estimated revenues for Fiscal Year 2011 by \$40,000 in the Airport Fund for the design and installation of the North Rotunda Floor Medallion for the Airline Terminal Project.

DISCUSSION:

The Airport Department, in collaboration with the City Arts Advisory Committee, the Visual Arts and Public Places Committee and the committees' staff developed a Public Art Program for the new airline terminal now under construction.

The Public Art Program has three components: long term loan of existing art, commissioned art, and a rotating exhibit of regional art. The commissioned art component was initiated in December 2009 with a "Call for Artists" for three commissioned art projects. Proposals were received and artist teams were selected for each of the three projects. The projects are a ceramic tile mosaic floor medallion in the North Rotunda entrance to the new terminal; wood beam stenciling in the entry pavilion of the terminal, and design elements affixed to the wrought iron railing on the terminal's second floor.

Santa Barbara Beautiful, formed by civic leaders in 1965, is dedicated to beautifying our area and works cooperatively with the City and local community groups. The organization's Board of Directors expressed interest in participating in the new terminal's Public Art Program by making a monetary contribution to a significant and prominent work of art. The Board selected the North Rotunda Floor Medallion and unanimously approved the award of a \$40,000 grant to the City of Santa Barbara towards the funding of this work of art.

The grant funding will be submitted to the City in three installments as the design and installation of the art progresses. The total budget for the medallion is \$65,000 and the balance of the funding will come from the Airline Terminal Project budget allocated for this purpose.

Staff recommends that Council accept this grant award as it is an excellent demonstration of community support of the public arts program and will extend the limited funding allocated for public art in the Airline Terminal Project budget.

SUBMITTED BY: Karen Ramsdell, Airport Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 16, 2010

TO: Mayor and Councilmembers

FROM: Harbor Operations Division, Waterfront Department

SUBJECT: Grant From California Department Of Boating And Waterways For Removal Of Vessels Per The State's Vessel Turn-In Program

RECOMMENDATION: That Council:

- A. Authorize the Waterfront Director to execute an agreement with the California Department of Boating and Waterways to accept an \$8,000 grant for the disposal of recreational vessels per the state's Vessel Turn-In Program; and
- B. Increase Fiscal Year 2011 estimated revenue in the amount of \$8,000 and appropriate the funds to the Waterfront Department's Fiscal Year 2011 Capital Budget.

DISCUSSION:

The California Department of Boating and Waterways (DBW) has reviewed and approved the Waterfront Department's application for a grant in the amount of \$8,000 for the disposal of vessels that qualify under DBW's Vessel Turn-In Program (VTIP). The VTIP is a pilot program allowing local public agencies to accept for disposal derelict vessels or vessels likely to become abandoned that are voluntarily surrendered by their owners. The funds are used to reimburse the City 90% of the cost of disposing vessels acquired under this program. The City, in turn, retains discretionary authority over which vessels it accepts under the VTIP program. By authorizing the Waterfront Director to execute the VTIP agreement, the City will receive this grant funding before the main winter season, when abandoned or derelict vessels often sink or run aground on City beaches.

The VTIP grant will augment a \$40,500 grant from DBW's Abandoned Watercraft Abatement Fund (AWAF), receipt of which was approved by Council on September 14, 2010. The AWAF grant is for the removal and disposal of abandoned recreational vessels and related hazards to navigation in City waters and on City beaches. The VTIP grant, in turn, aims to remove vessels from the Harbor before they become abandoned or sink.

PREPARED BY: Mick Kronman, Harbor Operations Manager

SUBMITTED BY: John N. Bridley, Waterfront Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 16, 2010

TO: Mayor and Councilmembers

FROM: Facilities Division, Waterfront Department

SUBJECT: Loan Application With California Department Of Boating And Waterways – Marina 1

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Requesting a \$1.9 Million Loan from the California Department of Boating and Waterways for Phase 4 of the Marina One Replacement Project in the Santa Barbara Harbor.

DISCUSSION:

Marina One is Santa Barbara Harbor's largest marina providing slips for 592 vessels. Slip sizes vary from 25' to 60' with several end ties capable of accommodating much larger vessels. The majority of Marina One was reconfigured and constructed in the 1970s using a concrete docking system creating "A" – "P" fingers and a floating restroom structure. All docks are secured with concrete piles. The docks are designed to accommodate four vessels between fingers with wooden mooring piles available to secure the vessels.

The Waterfront Department obtained an engineer's analysis in 2006 concluding that the docking system although not yet failing, should be replaced systematically. A conceptual design was developed outlining replacement of "A" through "P" fingers in 10 Phases.

Staff obtained a \$5.5 million loan from the California Department of Boating and Waterways (DBAW) in 2009. Construction of Phase 1, replacement of the main headwalk and utilities, was completed in August of 2010 for a cost of approximately \$2 million leaving a loan fund balance of \$3.5 million.

Construction of Phases 2 – 4 was bid in July 2010 with Bellingham Marine Industries submitting a low bid of \$4.2 million. The total cost of constructing these phases, including addition of a bid alternate item, inspection, and construction management, is approximately \$5.4 million. With a loan fund balance of \$3.5 million, the Department seeks City Council authorization to apply for an additional loan of \$1.9 million from DBAW.

BUDGET/FINANCIAL INFORMATION:

The first three phases of construction funded by the DBAW loan and associated debt service have been factored into the Waterfront Department's six-year cash flow model. The debt service associated with an additional \$1.9 million loan was also included in the Department's six-year cash flow model, which indicates that the Department can pay the debt service and maintain reserves at or above required levels.

Funding for the construction of phases 5-10 in the outlying years, 2014-2022, may come from future loans from DBAW, the City's General Fund, or refinancing the Department's existing debt service. The Department's outstanding bonds and debt service become eligible for refunding (refinancing) in 2013. It is possible that refinancing these bonds could be used to consolidate the Department's debt service and provide additional financing for future phases of the project. The final two phases of the project are small enough that they could likely be funded directly from the Department's capital reserves / Harbor Preservation Fund.

The Harbor Commission received a report on the Marina 1 rehabilitation project and expressed support for a phased approach to the project and the use of DBAW financing at the October 19, 2006, meeting. Subsequent updates on both construction phases and the need for additional DBAW loan funds have been recently considered by the Commission.

The California Department of Boating and Waterways requires a Resolution from the Council requesting the loan to be submitted with the loan application. Council adopted a similar resolution on March 27, 2007, for the original \$5.5 million DBAW loan.

PREPARED BY: Karl Treiberg, Waterfront Facilities Manager

SUBMITTED BY: John N. Bridley, Waterfront Director

APPROVED BY: City Administrator's Office

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA REQUESTING A \$1.9 MILLION LOAN FROM THE CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS FOR PHASE 4 OF THE MARINA ONE REPLACEMENT PROJECT IN THE SANTA BARBARA HARBOR

WHEREAS, the California Department of Boating and Waterways, through its Small Craft Harbor Loan Program, financially supports development and rehabilitation of small craft harbors;

WHEREAS, the City of Santa Barbara's Waterfront Department has two engineering reports from Moffat and Nichol and Cash & Associates certifying the need to rehabilitate most of Marina 1, Santa Barbara Harbor's largest publicly operated marina, composed of 592 slips, the majority of which were constructed in the late 1970's;

WHEREAS, the City of Santa Barbara's Waterfront Department plans to rehabilitate Marina One using a phased approach to avoid displacing large numbers of slip permittees at any one time; and

WHEREAS, the City of Santa Barbara certifies the loan, if made, will not constitute an indebtedness or a liability contrary to the provisions of Section 18 Article XVI of the California Constitution.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1: The Council of the City of Santa Barbara, by adopting this resolution, hereby requests a loan in the amount of \$1,900,000 for the purpose of rebuilding the Marina One "L" and "M" fingers also know as Phase 4 of the Marina 1 Replacement Project.

SECTION 2: The City Council authorizes the City Administrator, Waterfront Director, or Finance Director to accept the loan, sign the loan agreement in a form acceptable to the City Attorney, and carry out the intent of this Resolution.

SECTION 3: The project will not be undertaken and the loan funds will not be drawn until California Environmental Quality Act (CEQA) compliance is complete.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 16, 2010

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: State Revolving Fund Loan For The William B. Cater Water Treatment Plant And Ortega Groundwater Treatment Plant Projects

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 09-090 Identifying and Dedicating a Source of Revenue to Repay a Safe Drinking Water State Revolving Fund (SDWSRF) Loan in an Amount of \$29.92 Million to Finance Project Number 4210010-004 for the Advanced Treatment Project at the William B. Cater Water Treatment Plant and the Ortega Groundwater Treatment Plant Rehabilitation and Improvements Project.

DISCUSSION:

On November 17, 2009, Council adopted a resolution authorizing certain City officials to undertake actions required by a Notice Of Application Acceptance (NOAA) issued by the California Department of Public Health (CDPH) to the City for a \$29,920,000 SDWSRF loan. Representatives of the Department of Public Health requested the amendment of the resolution to incorporate changes in the loan program and other terms, including that the source of the City's funding be clarified and the dedicated revenue to repay the loan be clarified and specifically listed.

Project Description

The Advanced Treatment (Ozone) Project at the William B. Cater Water Treatment Plant (Cater) and the Ortega Groundwater Treatment Plant (OGTP) Rehabilitation and Improvements Project both address upcoming water regulation compliance. As a result, they are eligible to be funded through a low interest SDWSRF loan.

Ozone Project

Cater treats the water for the City of Santa Barbara and the Montecito and Carpinteria Valley Water Districts. The Ozone Project is the culmination of many years of work to determine the best solution for the South Coast water agencies to comply with the

upcoming Stage 2 Disinfection By-Products Rule (Stage 2 Rule), which will lower the allowable level of disinfection by-products in drinking water. The CDPH will implement the Stage 2 Rule in 2012.

The Ozone Project is a centralized solution that will install an ozonation facility at Cater, along with supporting chemical stations and a dewatering facility. The project will enable South Coast water agencies to consistently comply with the State 2 Rule; and it will also provide better tasting water. City staff presented the Ozone Project to, and received approvals from, the Boards of Directors for both the Montecito and the Carpinteria Valley Water Districts. Through agreements, including a Joint Powers Agreement, the two agencies will pay a combined 39% of the estimated \$20 million cost for the Ozone Project.

The City has submitted the Project Plans and Specifications to the City's Building and Safety Division for review and approval. The City has also submitted the Project Plans and Specifications to CDPH per the NOAA requirements to secure SRF loan funding.

OGTP Rehabilitation and Improvements Project

The OGTP Rehabilitation and Improvements Project will refurbish the existing groundwater treatment plant and filters. Having the OGTP online will assist the City, Montecito and Carpinteria in meeting the Stage 2 Rule. Groundwater contains only trace amounts of disinfection byproducts; therefore, blending treated groundwater with treated surface water from Cater will effectively lower the levels of disinfection by-products in the distribution systems. Additionally, rehabilitating the existing OGTP will enable staff to more effectively use the City's groundwater supplies, which is especially important during periods of drought or emergency.

The City has submitted the Project Plans and Specifications to the City's Building and Safety Division for review and approval. The City has also submitted the Project Plans and Specifications to CDPH per the NOAA requirements to secure loan funding.

Loan Application and Action

On January 13, 2009, City Council authorized the City Administrator to apply for a SDWSRF loan for the Ozone Project on behalf of the City. The estimated loan amount was \$20 million. During the loan application period, CDPH representatives contacted City staff about extending the loan funding to the OGTP Rehabilitation and Improvements Project, since the project will also assist with Stage 2 Rule compliance.

The estimated project cost for the OGTP Rehabilitation and Improvements Project is \$9.92 million. Staff had planned to use debt funding to finance the OGTP Rehabilitation and Improvements Project, but the low-interest SDWSRF loan is a better cost alternative. The City has received a letter from the CDPH (see Attachment) which serves as the NOAA. CDPH will encumber the funds for the SDWSRF loan in the amount of \$29.92 million. The funds will be used for both projects per the agreements

set forth in the NOAA letter. The final loan amount will be determined after the projects are bid. At that time, staff will return to Council for approval of the actual SDWSRF loan amount and award of contract for construction.

The SDWSRF loan will cover 100% of the costs for both projects. Terms of the loan agreement include a 20-year repayment period at a fixed 2.5 percent interest rate. The City has already signed the NOAA and returned it to the CDPH to indicate the City's acceptance of the terms of the preliminary offer and its intention to proceed with the projects. It does not constitute any obligation on the City's part to execute the loan contract. To maintain the SDWSRF loan funding status, the City is required to submit the amended resolution as soon as possible.

The amended resolution maintains the City Administrator as the authorized individual qualified to apply for the loan on behalf of the City, and also identifies rates from the Water Fund as a dedicated net revenue source for repayment of the loan along with payments from the Montecito Water District and Carpinteria Valley Water District as provided by the Joint Powers Agreement with those districts.

This item was presented to the Board of Water Commissioners at their meeting on November 9, 2009, and the Board voted 4-0 in favor of the recommendation.

ATTACHMENT: Notice of Acceptance of Application dated September 29, 2009

PREPARED BY: Cathy Taylor, Water System Manager/JW/mh

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



MARK B HORTON, MD, MSPH
Director

State of California—Health and Human Services Agency
California Department of Public Health



ARNOLD SCHWARZENEGGER
Governor

September 29, 2009

Mr. James L. Armstrong
City Administrator/Clerk/Treasurer
City of Santa Barbara
630 Garden Street
Santa Barbara, California 93102

Dear Mr. Armstrong:

**SAFE DRINKING WATER STATE REVOLVING FUND PROJECT FUNDING FOR
CITY OF SANTA BARBARA, PROJECT NO. 4210010-004**

Your application for funding under the Safe Drinking Water State Revolving Fund (SDWSRF) has been reviewed by the California Department of Public Health (CDPH) and its agent, Department of Water Resources (DWR). We have determined that project number **4210010-004**, as proposed by the City of Santa Barbara, is eligible for a construction loan in the amount of \$29,920,000. The proposed funding is provided in part from a Federal Capitalization Grant for Drinking Water State Revolving Fund (California) CFDA number 66.468.

This letter serves as our Notice of Acceptance of Application (NOAA). Funds in the amount of \$29,920,000 have been reserved for this project provided the terms and conditions as set forth herein are met, subject to availability of funds.

The funding agreement when issued and executed will provide for a \$29,920,000 loan to be repaid over 20 years at a 2.5017 percent interest rate. Once the City of Santa Barbara begins drawing loan funds, CDPH will invoice you semiannually during construction for interest accrued on funds disbursed. (Section 116761.65 of the Health and Safety Code prohibits deferral of interest on loans.) Your semiannual principal and interest payments will be approximately \$955,240 and will normally begin after project completion. An accumulation of approximately \$95,524 semiannually during the first 10 years of the loan repayment period is required in order to build a loan repayment reserve fund equal to two semiannual payments.

Funding is contingent upon your **timely** compliance with all terms and conditions of this NOAA, including those set forth in the "City of Santa Barbara, Project No. 4210010-004 SAFE DRINKING WATER STATE REVOLVING FUND NOTICE OF ACCEPTANCE OF APPLICATION TERMS AND CONDITIONS" attached hereto and incorporated herein by this reference. Compliance shall be determined at the sole discretion of CDPH or its authorized representative.

This NOAA is not an authorization to begin construction. Unless prior written approval from CDPH is received, initiation of construction of this project prior to the execution of a funding agreement may result in this project being ineligible for financing from the SDWSRF. Therefore, if you plan to start construction early, you should immediately contact your District Office of CDPH.

In order to maintain the reservation of funds in the SDWSRF account for your project, you must sign the attached "City of Santa Barbara, Project No. 4210010-004 SAFE DRINKING WATER STATE REVOLVING FUND NOTICE OF ACCEPTANCE OF APPLICATION TERMS AND CONDITIONS" at the space provided and return it within **60 days** of receipt. **We have provided two originals. Please sign and return one full document to:**

Department of Water Resources
Safe Drinking Water Office
Attention: Dennis Woods
1416 Ninth Street, Room 816
Post Office Box 942836
Sacramento, California 94236-0001

Your signature will indicate your acceptance of the terms and conditions and your intention to proceed with the project. It does not constitute any obligation on your part to enter into the loan funding agreement. **Failure to sign and return the attachment to this NOAA within the time period will result in the withdrawal of the NOAA and the bypassing of your project.**

Mr. James L. Armstrong, City Administrator
September 29, 2009
Page 3

The State commends the City of Santa Barbara for taking steps to enhance the provision and protection of the drinking water supplied to your consumers. If you have any questions regarding this NOAA, please contact either your CDPH Santa Barbara District Office at (805) 566-1326 or Dennis Woods, DWR Associate Analyst, at (916) 653-9724, or by e-mail at dwoods@water.ca.gov.

Sincerely,



~~for~~ Gary H. Yamamoto, P.E., Chief
Division of Drinking Water
and Environmental Management

Enclosures

cc: (See Attached list.)

Honorable Pedro Nava
Member of the Assembly
State Capitol, Room 2148
Sacramento, California 94249-0035

Honorable Tony Strickland
Member of the Senate
State Capitol, Room 4062
Sacramento, California 94248-0001

Honorable Marty Blum
Mayor of the City of Santa Barbara
735 Anacapa Street
Santa Barbara, California 93101

Ms. Rebecca Bjork, Water Resources Manager
City of Santa Barbara
630 Garden Street
Santa Barbara, California 93102

Mr. Kurt Souza, Regional Engineer
Division of Drinking Water and
Environmental Management
Carpinteria Section
California Department of Public Health
1180 Eugenia Place, Suite 200
Carpinteria, California 93013

Mr. Kurt Souza, Acting District Engineer
Santa Barbara District
Division of Drinking Water and
Environmental Management
California Department of Public Health
1180 Eugenia Place, Suite 200
Carpinteria, California 93013

Ms. Linda Ng, Chief
Safe Drinking Water Office, Room 816
Department of Water Resources
Post Office Box 942836
Sacramento, California 94236-0001

Mr. Dennis Woods, Associate Analyst
Safe Drinking Water Office, Room 816
Department of Water Resources
Post Office Box 942836
Sacramento, California 94236-0001

Mr. Kelvin Yamada, Chief
Drinking Water Infrastructure Financing Section
Division of Drinking Water and
Environmental Management
California Department of Public Health
Post Office Box 997377
Sacramento, California 95899-7377

Ms. Lorri Silva
Drinking Water Infrastructure Financing Section
Division of Drinking Water and
Environmental Management
Safe Drinking Water State Revolving
Fund Program
California Department of Public Health
Post Office Box 997377
Sacramento, California 95899-7377

Ms. Natalia Deardorff, ERU HQ
Environmental Unit
Division of Drinking Water and
Environmental Management
California Department of Public Health
Post Office Box 997377
Sacramento, California 95899-7377

Ms. Nadine Feletto
Technical Support Unit
Division of Drinking Water and
Environmental Management
California Department of Public Health
Post Office Box 997377
Sacramento, California 95899-7377

CITY OF SANTA BARBARA
Project No. 4210010-004

SAFE DRINKING WATER STATE REVOLVING FUND
NOTICE OF ACCEPTANCE OF APPLICATION
TERMS AND CONDITIONS

Unless otherwise expressly directed herein, items indicated as DWR Requirements must be submitted to DWR at the address provided below, and CDPH Requirements must be submitted to your District Office of CDPH.

Copies of all documents referenced below are enclosed. You are encouraged to share these documents with your legal and financial advisor(s) and governing body. Any concerns or comments should be directed to DWR.

- I. Prior to issuance of the funding agreement for signature by your authorized representative, the following items must be provided:**

DWR Requirements

1. A written designation, by resolution or as otherwise appropriate, of individual(s) with legal authority to:
 - a. Sign the SDWSRF funding agreement;
 - b. Approve the Claims for Reimbursement;
 - c. Sign the Budget and Expenditure Summary;
 - d. Sign the Final Release form; and
 - e. Sign the certification that the project is complete and ready for final inspection.

Person(s) signing the Budget and Expenditure Summary and certification that the project is complete and ready for final inspection must be a registered engineer(s) or person(s) approved by CDPH.

2. A written statement, resolution, or ordinance (as appropriate) adopted by the water system's governing body identifying a source of revenue and pledging/dedicating such source of revenue for repayment of the loan. When identifying the source of repayment, the identification should be as specific as possible, for example if using: assessments provide assessment name, date or number; user water rates, fees, or charges; CPUC authorized surcharge provide identity of CPUC order; or provide identity of accounts receivable as appropriate. The document shall also include a statement agreeing to increase rates as appropriate whenever necessary to satisfy debt service over the term of the loan.

You are encouraged to submit a draft of the statements, resolutions, or ordinances to DWR for review **prior** to taking it to your board or governing body for adoption or approval. DWR will review the draft and recommend to you any required modifications, thus avoiding unnecessary delays in issuance of your funding agreement. A resolution that does not meet program requirements will not be accepted.

3. Provide the identity of your Contract Manager.
4. The City of Santa Barbara shall certify to CDPH that any fees or charges needed to construct, operate and/or maintain the proposed project, including revenues dedicated for repayment of a SDWSRF loan, have been approved in accordance with Article XIII C and XIII D of the California Constitution (Proposition 218), or provide the written opinion of its legal counsel that Proposition 218 procedures are not applicable or required.

Note: You are encouraged to commence satisfaction of the above DWR Requirements immediately. Any concerns or comments should be directed to DWR.

CDPH Requirements

1. If property will be purchased for this project, the City of Santa Barbara shall provide documentation of conformance of land acquisition with the federal Uniform Relocation Assistance and Real Property Acquisition Act (Uniform Act) requirements to the Uniform Act coordinator at CDPH Sacramento Office, SRF Program no later than September 1, 2010. Please refer to the enclosed letter dated March 12, 2009, from Mr. Stephen Woods of CDPH.
2. The City of Santa Barbara shall submit final plans and specifications with a detailed cost breakdown for the entire project (including non-SRF funded portions) to CDPH's Santa Barbara District Office no later than September 1, 2010.
3. The City of Santa Barbara shall submit a permit amendment application to CDPH's Santa Barbara District Office no later than September 1, 2010.
4. The City of Santa Barbara shall prepare and submit the Worksheet for CEQA/NEPA Determinations to CDPH's Environmental Review Unit (ERU) for federal coordination no later than September 1, 2010.
5. The City of Santa Barbara shall the Federal Cross-cutters Worksheet to assist in federal coordination in accordance with the CDPH "NEPA-like" requirements no later than September 1, 2010.

6. The City of Santa Barbara shall complete its CEQA documentation and file such documentation, including any applicable Notices with the Santa Barbara County Clerk's Office and the Governor's Office of Planning and Research State Clearinghouse and send a copy of such documentation to CDPH's ERU no later than September 1, 2010.

All requirements under I must be satisfied before a funding agreement will be issued for signature by your authorized representative, and all such requirements must be satisfied within 1 year following the date of your signature of this "City of Santa Barbara, Project No. 4210010-004 SAFE DRINKING WATER STATE REVOLVING FUND NOTICE OF ACCEPTANCE OF APPLICATION TERMS AND CONDITIONS".

II. Prior to final execution of the funding agreement by State, the following items must be provided:

DWR Requirements

1. The services of a Fiscal Agent must be secured to assist in administering repayment of the loan. Complete and return to DWR a Fiscal Services Agreement form, in triplicate with original signatures on all copies.
2. Complete and sign a Payee Data Record (STD 204). This form is to be returned with the signed funding agreement. DWR will forward it with the final funding agreement to CDPH.

CDPH Requirements

1. The City of Santa Barbara shall have a Labor Compliance Program for this project prior to construction bid solicitation. Appropriate provisions related to the Labor Compliance Program shall be included in all construction bid solicitation(s).
2. The City of Santa Barbara shall certify to CDPH that it is in compliance with Labor Code Section 1771.8 requirements. (Information is available on the Department of Industrial Relations website: <http://www.dir.ca.gov/lcp.asp>) The certification shall be sent to CDPH Sacramento Office, SRF Program no later than September 30, 2010. Enclosed is an acceptable certification form which may be used to satisfy this requirement.

All items under II must be provided before final execution of the funding agreement by State.

Failure to timely comply with DWR and CDPH Requirements I and II may result in a withdrawal of the Notice of Acceptance of Application. Should this occur, your project will be bypassed but will remain on the project priority list. You may submit a new application for future funding only after receiving another letter of invitation from CDPH. If for any unforeseen reason you are unable to comply with any of the above requirements, you should contact your District Office of CDPH as soon as possible.

III. Prior to disbursement of funds, the following items must be provided:

DWR Requirements

1. Evidence that a separate checking account or a separate ledger has been established to account for funds received from the State.

Please indicate the name and address of the financial institution, exact name of account holder, and the account name and number. If this checking account is not used solely to account for funds received from the State, you must establish a ledger within your accounting system in accordance with generally accepted accounting principles. The ledger must identify the project number and SRF funding agreement number. You must provide documentation showing that the ledger has been established. **(Please note all accounts are subject to audit at any time.)**

2. Detailed account information where funds collected to repay the loan are held before being transferred to your Fiscal Agent.

Please indicate the name and address of the financial institution, exact name of account holder, and the account name and number. You must establish a ledger within your accounting system in accordance with generally accepted accounting principles to account for the receipt of funds collected to repay the loan. The ledger must identify the project number and SRF funding agreement number. You must provide documentation showing that the ledger has been established. **(Please note all accounts are subject to audit at any time.)**

3. Complete and return to DWR a Security Agreement (Deposit Account) form, on the accounts in items 1 and 2 above. For account verification by the State, please provide one of the following: a voided blank check, voided deposit slip, or a copy of your most recent bank statement on this account.
4. A Financing Statement (form UCC-1) will be completed and filed with the Secretary of State of California by DWR. A copy of the form is enclosed. This document is filed to provide security in items of personal property including the accounts as referenced in items 1 and 2 above.

CDPH Requirements

1. The City of Santa Barbara shall submit an initial budget of eligible project costs approved by CDPH on a DWR Budget and Expenditure Summary form.

All items under III must be provided before any disbursement of funds will be made.

IV. General Requirements

CDPH Requirements

1. City of Santa Barbara **must complete all technical, environmental and financial conditions of the Notice of Acceptance of Application including this "City of Santa Barbara, Project No. 4210010-004 SAFE DRINKING WATER STATE REVOLVING FUND NOTICE OF ACCEPTANCE OF APPLICATION TERMS AND CONDITIONS" within a time frame such that a funding agreement can be issued within 1 year from the date you sign this "City of Santa Barbara, Project No. 4210010-004 SAFE DRINKING WATER STATE REVOLVING FUND NOTICE OF ACCEPTANCE OF APPLICATION TERMS AND CONDITIONS".**
2. Subsequent to funding agreement execution you may request a **one-time** increase in funding. Such request must be **based upon competitive bids** and shall be submitted to the Santa Barbara District Office of CDPH. Approval of your request may be granted or denied at the sole discretion of the State, subject to funding availability and your financial qualifications.
3. Pursuant to Government Code Section 8546.7 the contracting parties shall be subject to the examination and audit of the State or any agent thereof, and the State Auditor. Parties are also subject to examination and audit of the U.S. Environmental Protection Agency, the Comptroller General of the United States, and Office of the Inspector General.
4. As a signatory to the California Urban Water Conservation Council – Memorandum of Understanding (MOU), the City Of Santa Barbara is responsible for the implementation of the urban water conservation "best management practices" of the MOU.
5. The City of Santa Barbara shall submit an Operations Plan amendment for the proposed facilities to the Santa Barbara District Office no later than December 31, 2013.

6. The City of Santa Barbara shall not initiate project construction activities unless and until the environmental review process is complete and all applicable Notices are filed.
7. The City of Santa Barbara shall complete construction of the project no later than December 31, 2013.
8. Any significant changes in the project design, subsequent to the issuance of this NOAA and prior to issuance of a funding agreement, may be subject to further environmental review.
9. Cross-cutting Federal Authorities apply to your project; see enclosed list. In order to conform to the federally mandated Disadvantaged Business Enterprise (DBE) good faith effort requirements, you must include the appropriate DBE "good faith effort" provisions in any bid documents. (You must meet the "good faith effort" requirements even if you do not utilize a formal bid process.). In order to demonstrate conformance with the federally mandated DBE good faith effort requirements, you must submit the construction bid solicitation package and the Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) good faith effort documentation from the construction funding agreement award, to the CDPH DBE coordinator.

The United States Environmental Protection Agency has established a good faith effort process to assure DBE have the opportunity to compete to participate in federally funded procurement. To comply with this requirement, you must:

- Perform the six affirmative steps required to meet the good faith effort requirements on procurement of construction, equipment, supplies and services for this project. **(You will be required to demonstrate that you have complied with the six "good faith" steps.)**
- Include EPA forms 6100-2, (DBE Program Subcontractor Participation Form), EPA forms 6100-3 (DBE Program Subcontractor Performance Form), and EPA Form 6100-4 (DBE Program Subcontractor Utilization Form) in each bid solicitation.
- Report semiannually on or before April 15 and October 15 on the CDPH MBE/WBE Utilization Report, enclosed.
- **Create and maintain a bidders list** if the recipient of the funding is subject to, or chooses to follow, competitive bidding requirements. The list, of all firms that bid or quote on prime contracts, or bid or quote subcontracts, must be kept until the project completion has been certified to CDPH.
- Include "Good Faith Effort" language in all contracts and subcontracts requiring compliance with the above.

Enclosed you will find a copy of the **Disadvantaged Business Enterprise (DBE) – Guidance for Public Water Systems (June 2009)** concerning conformance with the federal regulations for Participation by Disadvantaged Business Enterprise in USEPA funded projects. Should you have any questions regarding MBE/WBE, please contact Nadine Feletto with CDPH at (916) 449-5621.

Under the Federal Drinking Water State Revolving Fund Guidelines, the City of Santa Barbara is required to comply with the Single Audit Act. This Act requires entities to conduct an audit in accordance with the Office of Management and Budget (OMB) Circular A-133 Act if the entity expends \$500,000 or more (or as said threshold amount may be amended by the federal government) in federal awards from any funding source, during the entity's fiscal year. A copy of the audit is to be submitted to CDPH. Information regarding the Single Audit Act can be found on the Internet at <http://www.whitehouse.gov/omb/circulars/a133/a133.html>.

Address for DWR:

Department of Water Resources
Safe Drinking Water Office
Attention: Dennis Woods
1416 Ninth Street, Room 816
Post Office Box 942836
Sacramento, California 94236-0001

The terms and conditions set forth in the Notice of Acceptance of Application dated September 29, 2009, including those set forth in this "City of Santa Barbara, Project No. 4210010-004 SAFE DRINKING WATER STATE REVOLVING FUND NOTICE OF ACCEPTANCE OF APPLICATION TERMS AND CONDITIONS" are acceptable to the City of Santa Barbara and it is City of Santa Barbara's intent to continue with this project as proposed.

Signature: _____ Date: _____

Print Name: _____

Title: _____

Address: _____

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING RESOLUTION NO. 09-090 AND IDENTIFYING AND DEDICATING A SOURCE OF REVENUE TO REPAY A SAFE DRINKING WATER STATE REVOLVING FUND (SDWSRF) LOAN IN AN AMOUNT OF \$29.92 MILLION TO FINANCE PROJECT NUMBER 4210010-004 FOR THE ADVANCED TREATMENT PROJECT AT THE WILLIAM B. CATER WATER TREATMENT PLANT AND THE ORTEGA GROUNDWATER TREATMENT PLANT REHABILITATION AND IMPROVEMENTS PROJECT

WHEREAS, On November 17, 2009, the City Council adopted Resolution 09-090 authorizing certain City officials to undertake certain actions as required by a Notice of Application Acceptance (NOAA) issued by the California Department of Public Health (CDPH) to the City of Santa Barbara for a Safe Drinking Water State Revolving Fund (SDWSRF) loan and identifying a source of revenue for repayment of the SDWSRF loan;

WHEREAS, CDPH has issued a NOAA to the City to finance construction of the Advanced Treatment Project (Ozone Project) at the William B. Cater Water Treatment Plant and the Ortega Groundwater Treatment Plant Rehabilitation and Improvements Project (OGTP Rehabilitation Project) collectively identified by CDPH as Project Number 4210010-004; and

WHEREAS, CDPH has requested that Resolution No. 09-090 be amended to replace all references to the "California Department of Water Resources" with the "California Department of Public Health" and to clarify the source of revenue for loan repayment and to dedicate such revenue source to loan repayment.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. Resolution No. 09-090, adopted on November 17, 2009, is hereby amended to delete all references to the "California Department of Water Resources" set forth in said Resolution and replace said references with the "California Department of Public Health."

SECTION 2. The source of revenue for repayment of the SDWSRF loan shall be that portion of the Water Fund necessary to make full and complete repayment of the loan with net revenue derived from rates and charges and from that certain Joint Powers Agreement dated July 5, 1978, as amended from time to time, entered into by and

among the City of Santa Barbara, the Montecito Water District, and the Carpinteria Valley Water District.

SECTION 3. The City Council does hereby dedicate that portion of net revenue from the Water Fund derived from rates and charges and from a Joint Powers Agreement dated July 5, 1978, as amended from time to time, entered into by and among the City of Santa Barbara, the Montecito Water District, and the Carpinteria Valley Water District as the pledged collateral and a dedicated source of revenue to repay this SDWSRF loan. This dedication shall remain in full force and effect until such loan is fully discharged, unless modification or change of such dedication is approved in writing by the California Department of Public Health. If for any reason, said source of revenue proves insufficient to satisfy the debt service of the SDWSRF loan, sufficient funds shall be raised through increased water rates, user charges, or assessments or any other legal means available to meet this loan obligation and to operate and maintain the Ozone Project and the OGTP Rehabilitation Project.

SECTION 4. The City Council does hereby further resolve that fees and charges needed to construct, operate and maintain the Ozone Project and the OGTP Rehabilitation Project, including revenue dedicated to repayment of the SDWSRF loan, have been and will be approved in accordance with Article XIII D of the California Constitution.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 16, 2010

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Parcel Map And Execution Of Agreements For 416 And 418 Montgomery Street

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,788 (Map) and standard agreements relating to the approved subdivision at 416 and 418 Montgomery Street.

DISCUSSION:

A Tentative Map for the subdivision located at 416 and 418 Montgomery Street (Attachment 1), was conditionally approved on April 8, 2009, by adoption of a Staff Hearing Officer (SHO) Resolution (Attachment 2). The project involves the conversion of two existing one-story residential units to two new residential condominium units. Staff has reviewed the Map and has found it to be in substantial compliance with the previously approved Tentative Map, the Conditions of Approval, the State Subdivision Map Act, and the City's Subdivision Ordinance.

In accordance with the SHO approval, the Owner(s) (Attachment 3) have signed and submitted the Parcel Map and the required Agreements to the City. Council approval is required if Council agrees with the staff determination that the Map conforms to all the requirements of the Subdivision Map Act and the Municipal Code applicable at the time of the approval of the Tentative Map (Municipal Code, Chapter 27.09.060, City Council Action).

Staff recommends that Council authorize the City Administrator to execute the required *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*.

The *Agreement Assigning Water Extraction Rights* does not require Council approval and will be signed by the Public Works Director in accordance with City Council Resolution Number 02-131.

THE PARCEL MAP IS AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE.

- ATTACHMENT(S):**
1. Vicinity Map
 2. Conditions required to be recorded concurrent with Parcel Map Number 20,788 by the Staff Hearing Officer Conditions of Approval Resolution Number 025-09
 3. List of Owners/Trustees

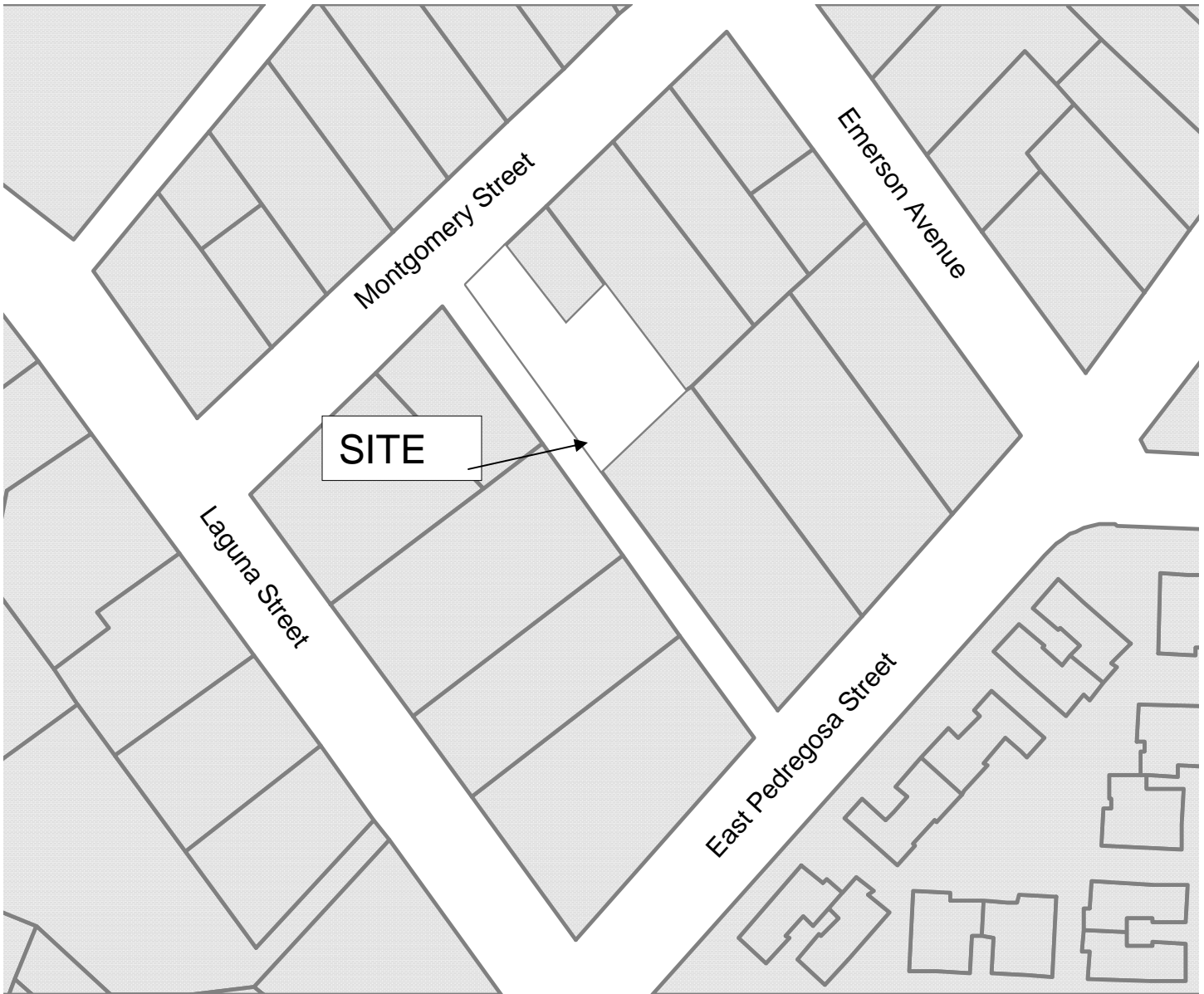
PREPARED BY: Mark Wilde, Supervising Civil Engineer/VJ/kts

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

ATTACHMENT 1

Vicinity Map 416 and 418 Montgomery Street



Not to Scale

CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH PARCEL MAP NUMBER 20,778 BY STAFF HEARING OFFICER CONDITIONS OF APPROVAL, RESOLUTION NO. 025-09

416 and 418 Montgomery Street

Said approval is subject to the following conditions:

1. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on April 8, 2009, is limited to the conversion of two (2) residential units to two (2) residential condominium units and the improvements shown on the plans signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.
2. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
3. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.
4. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the ABR, the owner is responsible for its immediate replacement.
5. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) in a functioning state (and in accordance with the Operations and Maintenance Procedure Plan approved in accordance with the Storm Water Management Plan BMP Guidance Manual). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.
6. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:
 - a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the

development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium units.

- b. **Parking Spaces Available for Parking.** A covenant that includes a requirement that all parking spaces (both covered and uncovered) be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the parking spaces were designed and permitted.
- c. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
- d. **Trash and Recycling.** Trash holding areas shall include recycling containers with at least equal capacity as the trash containers, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Green waste shall either have containers adequate for the landscaping or be hauled off site by the landscaping maintenance company. If no green waste containers are provided for common interest developments, include an item in the CC&Rs stating that the green waste will be hauled off site.
- e. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.

ATTACHMENT 3

LIST OF TRUSTEES

Second Family Trust, Dated March 7, 2000

416 and 418 Montgomery Street

Dan Bonham Secord, Trustee

Mary Elizabeth Secord, Trustee



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 16, 2010

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Final Map And Execution Of Agreements For 1210, 1212, And 1216 State Street

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Final Map Number 20,784 (Map) and standard agreements relating to the approved subdivision at 1210, 1212, and 1216 State Street.

DISCUSSION:

A Tentative Map for the subdivision located at 1210, 1212, and 1216 State Street (Attachment 1), was conditionally approved on July 19, 2006, by adoption of the Staff Hearing Officer (SHO) Conditions of Approval (Attachment 2). The project involves the subdivision of the Granada Tower into two, two-bedroom residential condominium units located on the 7th, 8th, part of the 9th floors, and a roof deck for the 9th floor outdoor living space. The approval also included 34,875 square feet of commercial condominium space, not to exceed 52 commercial grid units, 6 communications units and 21 commercial condominium units for a total not to exceed 79 commercial units.

On July 16, 2008, the SHO approved a four-year extension for the Tentative Subdivision Map, by adoption of SHO Resolution. The project also received a Substantial Conformance Determination (SCD) letter from the Community Development Department dated July 6, 2010, approving the elimination of the office area from the 7th and 8th floors, adding that same square footage to increase the size of the 7th floor residential unit, and to provide outdoor living space on a deck outside the 7th floor. The end result is that the SCD essentially decreased the total amount of the approved commercial condominium space to 33,969 square feet.

Staff has reviewed the Map and has found it to be in substantial compliance with the previously approved Tentative Map, the Conditions of Approval, the State Subdivision Map Act, and the City's Subdivision Ordinance.

In accordance with the SHO approval, the Owner(s) (Attachment 3) have signed and submitted the Map and the required Agreement to the City. Council approval is required if Council agrees with the staff determination that the Map conforms to all the requirements of the Subdivision Map Act and the Municipal Code applicable at the time of the approval of the Tentative Map (Municipal Code, Chapter 27.09.060, City Council Action).

Staff recommends that Council authorize the City Administrator to execute the required *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*. The *Agreement Assigning Water Extraction Rights* was previously recorded in February, 2003, as Instrument Number 2003-0016625.

THE FINAL MAP IS AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE.

ATTACHMENT(S):

1. Vicinity Map
2. Conditions required to be recorded concurrent with Final Map Number 20,784 by the Staff Hearing Officer Conditions of Approval Resolution Number 043-06
3. List of Owners/Trustees

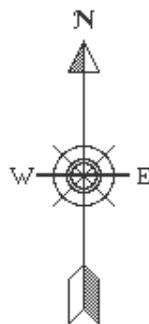
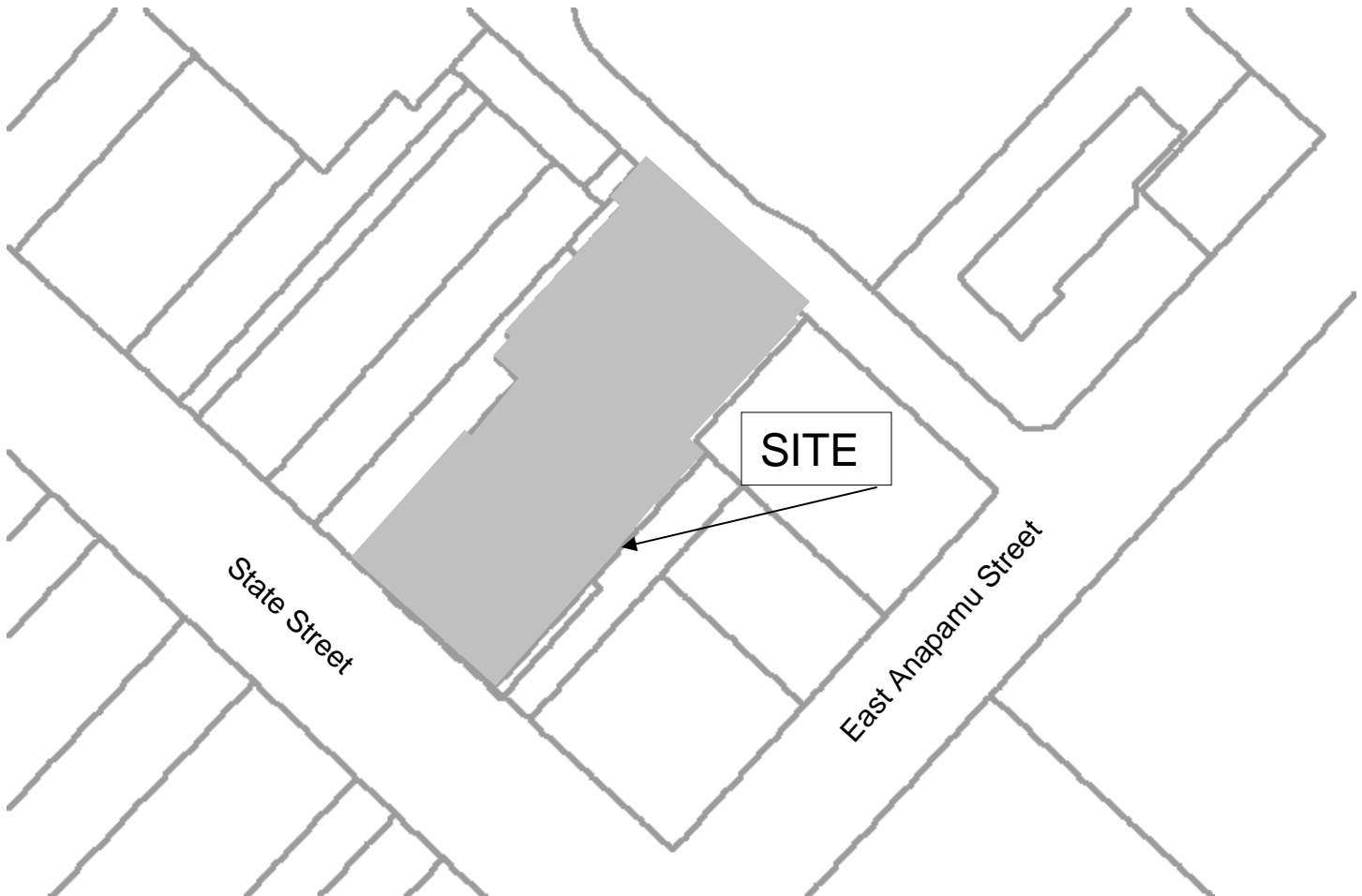
PREPARED BY: Mark Wilde, Supervising Civil Engineer/VJ/kts

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

ATTACHMENT 1

Vicinity Map 1210, 1212, 1216 State Street



Not to Scale

CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH PARCEL MAP NUMBER 20,784 BY STAFF HEARING OFFICER CONDITIONS OF APPROVAL, RESOLUTION NO. 043-06

1210, 1212 and 1216 State Street

Said approval is subject to the following conditions:

1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to the Real Property or any adjoining property.
2. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats or trailers shall be stored on the Real Property.
3. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on July 19, 2006 is limited to two residential condominium units, 34,875 square feet of commercial condominium space that may be divided into as many as 82 commercial condominium units, and the improvements shown on the Tentative Subdivision Map signed by the chairman of the Staff Hearing Officer on said date and on file at the City of Santa Barbara, except as noted in Recital B above as outlined in the approved Substantial Conformance Determination dated July 6, 2010.
4. **Building Height Restriction.** The height of the building shall not be increased above the existing height as verified by survey. No mechanical equipment, parapets or other features shall extend above the existing building.
5. **Rooftop Deck Restriction.** The rooftop deck provided as private outdoor living space shall not contain any furniture or objects that exceed the height of the surrounding parapet. Any objects that have the potential to be lifted by normal wind gusts shall be fastened/tied down to avoid injury.
6. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:
 - a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium parcels.
 - b. **Trash and Recycling.** Adequate and equal space shall be provided and maintained for trash and recycling purposes, and a minimum of 50% of the waste generated by the new residential units shall be recycled.

- c. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.
- 7. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance and most currently adopted Energy Code. No floodlights shall be allowed. Exterior lighting shall be shielded and directed toward the ground.
- 8. **Street Tree Protection.** The street trees within the City's right-of-way shall be preserved and protected.
- 9. **Off-Site Parking.** Off-site parking, leased or purchased, shall not be required parking for another land use or building.

ATTACHMENT 3

LIST OF OWNERS

1216 State Street, LLC, a California Limited Liability Company

1210, 1212, 1216 State Street

J. Tompkins, Trustee



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 16, 2010

TO: Mayor and Councilmembers

FROM: Administration Division, Fire Department

SUBJECT: Firefighters Of Santa Barbara License Agreement

RECOMMENDATION:

That Council authorize the Fire Chief to execute a one-year license agreement between the City of Santa Barbara and Firefighters of Santa Barbara, Inc., for the production of "First Responders – Firefighters of Santa Barbara".

DISCUSSION:

Firefighters of Santa Barbara, Inc., with the assistance and cooperation from the City of Santa Barbara Fire Department, will produce a local tri-county TV program called "First Responders - Firefighters of Santa Barbara" (hereinafter "FRFFSB"). "FRFFSB" will be a 30 minute weekly series (initial run of 14 weeks) airing on Fox 11 at 7:00 PM on Saturday nights. It will provide for exposure of training, fire/life safety messages, and the professional day to day emergency services that are provided by the City of Santa Barbara Fire Department. The program's coverage may be expanded in the future to include the Santa Barbara County Fire Department as well. Production is scheduled to start upon Council approval of the license agreement, with the first shows to be aired in December.

Previously, the City has participated with the same production company resulting in the successful "On Patrol with Santa Barbara PD" series. The license agreement recommended for execution today is adapted from the "On Patrol" agreement and addresses such issues as use of City trademarks, use of Fire Department property, assistance by Fire Department Employees, appropriate compensation, record keeping and accounting. The term of the agreement is one year, and either party may terminate the agreement upon 90 days written notice.

BUDGET/FINANCIAL INFORMATION:

Under the terms of the proposed license agreement, FFSB, Inc. agrees to compensate the Santa Barbara Fire Department the sum of \$1,000 per original episode and \$500 for each rebroadcast thereafter. Depending upon the continued success of the program, it

is anticipated the General Fund would receive approximately \$25,000-\$50,000 per year. The Fire Department has virtually no production responsibilities or production costs.

PREPARED BY: Andrew DiMizio, Fire Chief

SUBMITTED BY: Andrew DiMizio, Fire Chief

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

JOINT COUNCIL AND REDEVELOPMENT AGENCY AGENDA REPORT

AGENDA DATE: November 16, 2010

TO: Mayor and Councilmembers
Chair and Boardmembers

FROM: Housing and Redevelopment Division, Community Development
Department

SUBJECT: Loan To Habitat For Humanity For Acquisition Of 822-824 East
Canon Perdido Street

RECOMMENDATION:

That Council and the Redevelopment Agency Board take the following actions:

- A. That the Agency Board approve an acquisition loan of \$925,000 of Redevelopment Agency Housing Setaside Funds to Habitat for Humanity of Southern Santa Barbara County and authorize the Agency's Deputy Director to execute a loan agreement and related documents in a form approved by Agency Counsel, and to make non-substantive changes;
- B. That the Agency Board appropriate \$925,000 in the Redevelopment Agency Housing Setaside Funds from unappropriated reserves for the acquisition loan;
- C. That the Agency Board adopt, by reading of title only, A Resolution of the Redevelopment Agency of the City of Santa Barbara Adopting the Replacement Housing Plan Dated October 28, 2010, for 822-824 East Canon Perdido Street; and
- D. That Council and the Agency Board adopt, by reading of title only, A Joint Resolution of the Council of the City of Santa Barbara and the Redevelopment Agency of the City of Santa Barbara Finding that the Use of Redevelopment Agency Housing Setaside Funds as a Loan to Habitat for Humanity of Southern Santa Barbara County for Acquiring an Affordable Housing Site Located Outside the Central City Redevelopment Project (CCRP) Area at 822-824 East Canon Perdido Street Will Be of Benefit to the CCRP.

EXECUTIVE SUMMARY:

Habitat for Humanity of Southern Santa Barbara County ("Habitat") requests a \$925,000 loan to acquire the property located at 822-824 East Canon Perdido Street – a site found suitable for land-banking for future development of affordable ownership housing for low income families. Habitat plans to build 12 new units on the .44 acre site, using their successful financial model that includes donated materials, technical assistance from

local contractors, future homeowners' labor (sweat equity), volunteers donating labor, and grant funds and donations from foundations and local churches. Habitat seeks financial assistance for site acquisition now and will likely seek additional financial assistance for construction later.

DISCUSSION:

Property Description

The property consists of two adjacent parcels totaling 19,303 square feet (.44 acre) located on East Canon Perdido Street just west of Milpas Street. The site, currently owned by American Riviera Bank, is improved with two occupied single-family homes, a detached garage, and a carport. The zoning is C-2 (general commercial).

Plans for Development

The two parcels are each approved for redevelopment with four condominiums. Habitat, however, seeks to build more units and build units with more suitable designs. The existing plans approved for the site are for large units with only one or two bedrooms. The plans also involve construction that would be difficult to execute by the volunteer laborers and participant future homeowners that typically work on Habitat projects. Habitat has consulted with an architect and discussed potential plans with staff in the City's Planning Division. Habitat believes that it could build twelve suitable family units on the site. The additional units would require a density bonus, which would be consistent with the City's density bonus policies.

In addition to the assistance for acquisition financing, Habitat would likely need financial assistance for construction. Its request for additional financing would likely follow shortly after Planning Commission approval of the site plan.

Acquisition Financing

The property was recently appraised at \$965,000, and Habitat has successfully negotiated a sale price of \$925,000 (\$48 per square foot). The requested Agency Loan would cover the entire purchase price. Habitat would pay the closing costs for the transaction which are estimated to be approximately \$3,000 and the initial predevelopment costs for the new project.

Agency Loan

The proposed \$925,000 Agency acquisition loan would have terms similar to loans previously provided to Habitat. The Agency acquisition loan would be a no-interest, deferred loan during construction. Upon completion of construction, the Agency acquisition loan would convert into twelve separate deferred Agency loans of \$77,083 for each of the twelve units to be sold to low income homeowner families. These "silent second" Agency loans with the homeowners would be second to the zero-interest loans that Habitat plans to provide to the homeowners. The silent second Agency loans would bear zero interest and would be forgiven upon conclusion of the City's 90-year affordability period.

The Agency acquisition loan does have a repayment provision that the Agency typically requires in land-banking situations in order to protect the Agency's interests in the event the new project does not proceed in a timely fashion. If, after four years, construction of the new project is not complete and the Agency acquisition loan has not converted to

the separate Agency loans described above, the Agency acquisition loan would become a fully amortized 3-percent interest loan with a 10-year term.

Security

The requested Agency acquisition loan to Habitat would be secured by a deed of trust recorded against the property in first position during construction. Given the appraised value of \$965,000 for the property, the Agency acquisition loan would be completely secured.

Affordability Covenant

As with all Agency-funded affordable housing projects, an affordability control covenant must be executed and recorded to ensure that the property will be used to provide affordable housing to low income households. In accordance with the City's Affordable Housing Policies and Procedures, the term of the affordability control covenant will be 90 years.

Should the homeowner sell before the end of the City's 90-year affordability period, the unit would be sold back to Habitat, who would market the unit to a new low income household. The departing homeowner would recoup only what they paid in down payment and mortgage principal payments, adjusted for inflation. The new homeowner would sign a new loan and assume the covenant agreements with the City and Habitat for the remainder of the 90-year term.

Replacement Housing Plan

California Redevelopment Law requires that before an Agency provides financial assistance to a project where affordable housing is destroyed or removed, a plan must be prepared and adopted by resolution of the Agency Board to replace the lost housing with at least as many affordable units and at least as many bedrooms within a time period of no more than four years. One of the two households is occupied by a low income household and is, therefore, accounted for in the attached replacement housing plan that meets the legal requirements. The replacement housing plan has been available for public review at the City Clerk's office in City Hall and the Community Development Department at 630 Garden Street. It has also been posted on the City's website. California Redevelopment Law requires that the replacement housing plan be adopted by resolution.

Relocation of Current Tenants

The two existing resident households on the property will be allowed to remain during the predevelopment phase of the new project. Habitat has provided them with notice of their plans and a description of the relocation benefits they may be eligible for. Prior to demolition, the existing residents will be provided ample notice and information regarding their eligibility for relocation benefits in accordance with state and federal law. However, should the existing residents elect to vacate the units prior to the notice of demolition, they would not be entitled to any relocation benefits.

Benefit to the Central City Redevelopment Project Area (CCRP)

While the site is located outside the CCRP, the project will benefit the CCRP in providing needed housing nearby that is affordable to low income persons. California Redevelopment Law requires that in order for Agency Housing Setaside funds to be spent outside the CCRP, the City Council and the Redevelopment Agency must adopt a

resolution with certain findings and the determination that the project is of benefit to the CCRP.

Sustainability Impact

The new project would be built in accordance with the guidelines of Built Green Santa Barbara for a level 3 home. Habitat will also consider the cost effectiveness of qualifying for LEED certification. Habitat would deconstruct all current structures on the property to recover as much usable material as possible to be sold at their ReStore. Habitat would also use donated product from their ReStore in building the new project. In previous Habitat projects about 10-15% of the materials used for new construction have been reused materials. Habitat will also consider the cost effectiveness of installing solar energy panels. Habitat will work with local landscape companies to meet and exceed all required runoff water recapture and to create a sustainable landscape plan utilizing native plants.

BUDGET/FINANCIAL INFORMATION AND CONCLUSION:

The proposed project would be an important next step for Habitat following the completion of the project it currently has in construction (618 San Pascual). The Agency has sufficient Housing Setaside reserve funds to provide the requested financial assistance to Habitat. The City Council's Finance Committee recommended approval of the proposed acquisition loan at its meeting of November 9, 2010.

ATTACHMENTS: 1. Letter from Habitat for Humanity
2. Replacement Housing Plan

PREPARED BY: Brian Bosse, Housing and Redevelopment Manager/SK

SUBMITTED BY: Paul Casey, Assistant City Administrator

APPROVED BY: City Administrator's Office

ATTACHMENT 1



*Now More Than Ever.
Help Build It!*

October 14, 2010

Mr. Simon Kiefer
City of Santa Barbara Community Development Department
Housing & Redevelopment Division
630 Garden Street
Santa Barbara, California 93102-1990

Dear Simon:

This letter is to confirm Habitat for Humanity of Southern Santa Barbara County's intent to build twelve affordable housing units for low-income families at a site located at 822 and 824 E. Canon Perdido Street, Santa Barbara. As per our attached budget, we will once again seek funding from a variety of sources, including individuals, foundation, faith-based organizations, civic groups and corporations along with the HUD funding provided by the City. Also please find enclosed the proof of service of the required tenant relocation notices, along with a current appraisal of the property.

We are in escrow on the property, currently owned by American Riviera Bank. There is a funding contingency on the purchase/sale agreement between the bank and Habitat for Humanity, pending approval of our request for RDA funding from the city for the purchase amount of \$925,000.

These homes will be built in partnership with future homeowners and volunteers. Homeowners will be selected by our Family Selection committee according to Habitat's criteria: annual income between 40% and 60% of area median income; currently living in substandard housing; and willingness to work a minimum of 250 hours of sweat equity per adult family member to build the homes.

The RDA funds will be carried as a zero-interest ninety-year mortgage on each of the units. Upon occupancy, these mortgages will be held as a second mortgage, and will allow the City of Santa Barbara to monitor the continuing affordability of these homes through an affordability covenant recorded on each property. At the end of the affordability period and subject to restrictions imposed by the City, these mortgages will be forgiven. Habitat for Humanity of SSBC will carry the first mortgage, which will also be a zero-interest loan. Mortgages will be established upon completion of construction that allow all shelter costs, including property taxes, homeowners association fees, utilities and insurance, to total no more than 35% of the homeowner's monthly income.

We are pleased to join with other agencies in finding solutions to the affordable housing crisis on the South Coast, and we welcome a continuing partnership with the City of Santa Barbara. We look forward with great anticipation to the day we can begin building these affordable homes.

Sincerely,

A handwritten signature in blue ink that reads "Joyce McCullough".

Joyce McCullough
Executive Director

822-824 EAST CANON PERDIDO STREET REPLACEMENT HOUSING PLAN
OCTOBER 28, 2010

Affordable Housing to be Lost at 822-824 East Canon Perdido Street

<u>Units</u>	<u>BR Count</u>	<u>Existing Household Income Level</u>	<u>Expected Loss Date</u>	<u>Location</u>
1	1	1 low income	2012	Outside CCRP

New Affordable Housing to be Created at 822-824 East Canon Perdido Street

<u>BR Units</u>	<u>Expected Count</u>	<u>Expected Household Income Level</u>	<u>Expected Completion Date</u>	<u>Location</u>	<u>Funding Source</u>
1	1	1 low income	2016	Outside CCRP	RDA

One existing affordable unit (a 1-BR unit) will be demolished for the development of a new affordable housing project to be developed by Habitat for Humanity at 822-824 East Canon Perdido Street. The new affordable housing project will consist of up to 12 affordable units for low income homeowners. Only 1 of the new units are counted here, as the remaining new affordable housing units may be counted as replacement housing for other projects.

NOTES

- Abbreviations:
 "BR" stands for bedroom.
 "low-income" stands for households earning 50% - 80% of the Area Median Income.
 "CCRP" stands for the Central City Redevelopment Project Area of the City of Santa Barbara.
 "RDA" stands for the City of Santa Barbara's Redevelopment Agency Housing Setaside Funds
- Article XXXIV Authority
 Creation of the new affordable housing listed above has been authorized through a ballot measure approved by the public in a special municipal election held on March 7, 2000.
- Adoption by RDA Resolution
 This Replacement Housing Plan has been adopted by the Redevelopment Agency of the City of Santa Barbara.

RESOLUTION NO. ____

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF
THE CITY OF SANTA BARBARA ADOPTING THE
REPLACEMENT HOUSING PLAN DATED OCTOBER
28, 2010, FOR 822-824 EAST CANON PERDIDO STREET

WHEREAS, California Health and Safety Code Section 33413.5 requires redevelopment agencies to adopt a replacement housing plan that implements the requirements of Health and Safety Code Section 33413 and provides for the replacement of affordable housing within four (4) years of its destruction whenever redevelopment agency-funded projects involve the destruction or removal of affordable housing units occupied by very low-, low-, and moderate-income households;

WHEREAS, the replacement housing plan must conform to requirements established under California Health and Safety Code Section 33413.5;

WHEREAS, the project funded by the Redevelopment Agency of the City of Santa Barbara, 822-824 East Canon Perdido Street, will involve the destruction of an affordable housing unit occupied by a low-income household; and

WHEREAS, a draft of the Replacement Housing Plan dated October 28, 2010, for 822-824 East Canon Perdido Street has been made available to members of the public for review and comment.

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA THAT the Replacement Housing Plan dated October 28, 2010, for 822-824 East Canon Perdido Street, attached hereto and incorporated herein by reference, is hereby adopted.

CITY COUNCIL RESOLUTION NO. _____
REDEVELOPMENT AGENCY RESOLUTION NO. _____

A JOINT RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AND THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA FINDING THAT THE USE OF REDEVELOPMENT AGENCY HOUSING SETASIDE FUNDS AS A LOAN TO HABITAT FOR HUMANITY OF SOUTHERN SANTA BARBARA COUNTY FOR ACQUIRING AN AFFORDABLE HOUSING SITE LOCATED OUTSIDE THE CENTRAL CITY REDEVELOPMENT PROJECT (CCRP) AREA AT 822-824 EAST CANON PERDIDO STREET WILL BE OF BENEFIT TO THE CCRP

WHEREAS, pursuant to the authority of Health and Safety Code Section 33334.2(g), the Redevelopment Agency of the City of Santa Barbara (Agency) has authorized the expenditure of Agency Housing Setaside Funds outside the Central City Redevelopment Project (CCRP) Area for the development of low and moderate income housing by Resolution No. 695 dated July 17, 1984;

WHEREAS, the Agency desires to promote low and moderate income housing that will benefit the CCRP Area by approving a loan to Habitat for Humanity to assist with the acquisition of property located at 822-824 East Canon Perdido Street in the City of Santa Barbara but outside the boundaries of the Central City Redevelopment Project Area; and

WHEREAS, as a condition of permanent Agency financing, the City and the Housing Authority of the City of Santa Barbara will be executing a covenant assuring the long-term affordability of the development.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AND BY THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The City Council and Redevelopment Agency find and determine that, although the subject property to be developed is located outside the CCRP Area, the use of Agency Housing Setaside Funds for acquiring an affordable housing site will be of benefit to the CCRP in that:

- (a) The fundamental purpose of redevelopment is to expand the supply of low and moderate income housing;
- (b) There is a shortage of safe, decent, and sanitary housing for persons and families of low and moderate income within the CCRP Area, and there are insufficient suitable sites for development of such housing within the CCRP Area; and
- (c) Insufficient suitable housing units are available in the community for low and moderate income persons and families who may be displaced by activities in the CCRP Area.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 16, 2010

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Sign Committee Reconstitution And Other Ordinance Amendments
To Increase Efficiency

RECOMMENDATION: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Title 22 of the Santa Barbara Municipal Code Relating to the Expiration of Project Design Review Approvals, Amending Section 27.07.110 of Title 27 Relating to Approved Subdivision Maps, and Amending Chapter 28.87 of Title 28 of the Santa Barbara Municipal Code Relating to the Preparation of Zoning Information Reports and the Expiration and Tolling of Development Plans and Other Project Approvals for Approved Development Projects;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving Revised Sign Review Guidelines; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing a Reconstituted Sign Committee and Repealing Resolution Numbers 81-053, 90-028, and 95-083.

Discussion:

Background

Council was advised during budget discussions that the elimination of planning staff would affect workloads and change work priorities. In response to budget and staffing cutbacks, Community Development Department managers worked with an ad-hoc committee consisting of various Board and Commission members to develop a list of ideas to reduce staff's workload and manage assignments. Design Review boards include the Sign Committee, the Architectural Board of Review (ABR), the Historic Landmarks Commission (HLC), and the Single Family Design Board (SFDB).

Changes that would have the most cost or time savings and that could be easily implemented were selected. It was understood that some of these ideas would likely involve various ordinance amendments to reduce workload volume or simplify the City's review process.

Last month the Council Ordinance Committee reviewed the first phase of these ordinance amendment proposals primarily focused on making changes to increase efficiencies, reduce staff workloads and to simplify the City's review process. The Ordinance Committee was presented with specific changes on how the City could adjust its application review process requirements and save staff time. The reconstitution of the City's Sign Committee, a more efficient manner in which to process development applications, adjustment of approval timelines, and making staffing reassignments could all assist in reducing staff hours in order to take advantage of reduced workload volumes.

Several suggestions and proposals were compiled for consideration with the following ideas being proposed as part of this first phase:

List of Proposed Changes:

- Changes in the level of staffing to the Sign Committee and shifting assignments can be temporarily absorbed by existing Design Review staff. In order to implement this change, the separate full Sign Committee meetings would be changed to coincide with the regular ABR and HLC Consent Calendar review days. The Sign Committee membership would also be reduced to 4 from 5 members. The change would allow for most sign applications to be reviewed with only two members and is expected to reduce application review times.
- Specific language for exemptions revised and new definitions for Sign Regulations to improve sign enforcement.
- Clarifications of project approval time periods and extensions for ABR, HLC and SFDB approvals when projects have multiple approvals and to lessen the confusion regarding tracking multiple approval expiration dates.
- Minor change of terminology from "Preliminary Approval" to "Project Design Approval" for design review board approvals.
- Minor ordinance amendments to eliminate the requirement for Zoning Information Reports for condominiums by making it an optional practice.

Ordinance Committee Review

On October 12, 2010, the Ordinance Committee reviewed the proposed five ordinance amendments outlined above and voted 3/0 to support moving forward on most of the

amendments. Two item topics were continued for more consideration based on concerns voiced from several realtors during public comment. Changes proposed for Zoning Information Reports (ZIR's) and to improve enforcement on Signs were determined to require more time for further discussions.

On November 2, 2010, staff returned back to the Ordinance Committee with the minor changes on the Zoning Information Reports. Staff worked with the Santa Barbara Association of Realtors (SBAOR) to resolve their previous concerns. In addition, staff proposed additional ZIR processing changes that would eliminate the requirement for preparation of a ZIR when a home was under construction or that had been recently constructed. The Ordinance Committee supported all the changes and voted unanimously to forward ordinance amendments to Council for adoption. Proposed changes to the Sign Regulations to address ongoing sign enforcement issues needed further discussion, and that took place on November 9. The Ordinance Committee forwarded the amendments, and it will return to Council as a separate item with additional consideration of "For Sale" signs in the public right-of-way and television monitors at gas service stations.

The following is a brief summary explanation of the four areas of amendments proposed at this time:

Sign Committee Review Changes

The level of staffing to the Sign Committee was identified as an area where shifting of assignments could be achieved and temporarily absorbed by existing Design Review staff. We believe that shifting a planning technician from staffing the Sign Committee to Zoning Enforcement would fill the void, due to the recent loss of positions in the Zoning section.

Sign Committee members worked with staff on the new approach to the sign review process and supported these changes along with the reconstitution of their membership, provided it is a temporary change. The Sign Committee membership will be reduced from 5 to 4 members but consist of existing appointed members.

The revised Sign Committee would review the majority of signs at two Consent Calendar meetings, each presided over by two members, to coincide with the regular scheduled ABR and HLC meeting dates. The Conforming Review level would remain, but would be slightly expanded to allow for more projects to qualify and for two Sign Committee members to review sign applications weekly.

We initiated these sign application review changes in August of this year, and believe the process is working. However, when development activity increases, it will be necessary to reevaluate the process and likely return to the previous process.

Finally, updates to the Sign Review Guidelines are proposed for adoption at this time that reflect minor guideline changes, the new Sign Committee review process and further clarifies how the City reviews signs with registered trademarks and business logos.

Changes for Project Time Approvals and Extensions

In recent times, the ability for applicants and developers to secure construction financing and move from planning entitlements to being able to complete construction drawings, obtain building permits, and complete projects has become more difficult. City staff is concerned that many of the projects which have obtained planning entitlements including Design Review, Zoning Modifications, Coastal Development Permits, etc, may also be unable to move to completion of the next stage of development without having to reapply and go back through the Design Review or entitlement process. Time extensions for ABR, HLC and SFDB approvals have sometimes resulted in reconsideration of approvals whereby different review board members want to overturn previous approval decisions.

The current code does provide for time extensions, however, in many cases, there is confusion when applicants need to keep track of multiple approvals. Recognizing these concerns, the ordinance amendments set the project approval expiration to run with the longest discretionary approval decision. The changes will also give more time for applicants to obtain approvals through the earlier stages of the city's review process. Finally, these changes will increase efficiencies by not requiring approved projects to obtain design review time extensions or re-approvals if the land use decisions are still valid.

Change "Preliminary Approvals" to "Project Design Approvals" for Clarity Purposes

In response to some community confusion about the magnitude of key decisions during the design review approval process, staff proposes to change name of all ABR, HLC and SFDB "Preliminary Approvals" to "Project Design Approvals." Staff believes this change will lessen confusion from the public on decisions involving this critical entitlement step. Staff believes the confusion surrounding the word "preliminary" have led to the public's belief that the filing of appeals should come at a later date.

Zoning Information Report Changes

An additional change to reduce staff's workload includes a change to SBMC Section 28.87.220 to make Zoning Information Reports (ZIR) for condominiums optional. Currently, all sellers of residential property are required to obtain a Zoning Information Report (ZIR) and provide a copy of the report to buyers. Planning staff have indicated that it is rare that a zoning violation is created within a condominium development due to the existence of a Homeowner's Association and Covenants, Conditions & Restrictions on title that place strict prohibition on land use type violations. Planning staff has met with the Santa Barbara Association of Realtors and they support the changes.

In addition, staff also proposes to not require a ZIR when a house is either under construction or a Certificate of Occupancy inspection has been completed within the last three months. Planning staff has met with the Santa Barbara Association of Realtors and they support these changes.

Conclusion and Staff Recommendation

The City of Santa Barbara has long recognized that signs are an integral part of the cityscape and, as such, can detract from or enhance the City's image and character. While a reduction of the Sign Committee membership and new review process is being proposed, staff recognizes the importance of maintaining adequate oversight and the need that sign applications continue to be reviewed by a separate Sign Committee. In response to budgetary and staffing cutbacks, the City is also proposing reasonable ordinance amendments to increase efficiencies in response to the reduced staffing levels. For these reasons, staff recommends that Council approve the reconstitution of the Sign Committee and adopt the proposed ordinance amendments for introduction and adoption.

Other Amendments

This phase of ordinance amendments is a first step in making changes to reduce staffing expenditures and create savings with increased efficiencies. Staff expects to bring forward additional ordinance amendments to implement further cost saving measures by making improvements in the City's review process.

BUDGET/FINANCIAL INFORMATION:

This proposal will reduce the amount of annual staff time involved to support the Sign Committee, processing of time extensions, and in the preparation of some ZIRs. No significant expenditures are required but some initial staff work to implement these process changes will be necessary.

PREPARED BY: Jaime Limón, Senior Planner II

SUBMITTED BY: Paul Casey, Assistant City Administrator/ Community
Development Director

APPROVED BY: City Administrator's Office

**COUNCIL INTRODUCTION DRAFT NOVEMBER 16, 2010
SHOWING CHANGES FROM EXISTING CODE
NEW PROVISIONS IN UNDERLINE
DELETIONS IN ~~STRIKE-OUT TEXT~~**

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SANTA BARBARA AMENDING TITLE 22 OF THE
SANTA BARBARA MUNICIPAL CODE RELATING TO
THE EXPIRATION OF PROJECT DESIGN REVIEW
APPROVALS, AMENDING SECTION 27.07.110 OF
TITLE 27 RELATING TO APPROVED SUBDIVISION
MAPS, AND AMENDING CHAPTER 28.87 OF TITLE
28 OF THE SANTA BARBARA MUNICIPAL CODE
RELATING TO THE PREPARATION OF ZONING
INFORMATION REPORTS AND THE EXPIRATION AND
TOLLING OF DEVELOPMENT PLANS AND OTHER
PROJECT APPROVALS FOR APPROVED DEVELOPMENT
PROJECTS.

SECTION ONE. Sections 22.22.020 and 22.22.180 of Chapter 22.22
"Historic Structures" of Title 22 of the Santa Barbara Municipal
Code are amended to read as follows:

22.22.020 Definitions.

Unless the context requires a different meaning, the words and
phrases used in this chapter are defined as follows:

A. **"ADOBE."** An unburnt, sun-dried, clay brick; or a building
made of adobe bricks.

B. **"ADVISORY MEMBER."** An Honorary Member of the Historic
Landmarks Commission of the City of Santa Barbara appointed
under the provisions of the City Charter.

C. **"ALTERATION."** An exterior change or modification. For the
purposes of this chapter, an alteration shall include, but not
be limited to, exterior changes to or modification of a
structure, including the architectural details or visual
characteristics such as paint color and surface texture,
grading, surface paving, new structures, a structural addition,
cutting or removal of trees and other natural features,
disturbance of archaeological sites or areas, and the placement
or removal of any exterior objects such as signs, plaques, light

fixtures, street furniture, walls, fences, steps, plantings and landscape accessories affecting the exterior visual qualities of the property.

D. "**ARCHAEOLOGICAL.**" Pertaining to the scientific study of the life and culture of earlier peoples by excavation of sites and relics.

E. "**ARCHITECTURAL.**" Pertaining to the science, art or profession of designing and constructing buildings.

F. "**CEQA.**" The "California Environmental Quality Act" as codified at state Public Resources Code §§ 21000 et seq. and the approved Administrative Guidelines related thereto as established in the California Code of Regulation, Title 14, Chapter 3, §§ 15000-15387.

G. "**COMMISSION.**" Historic Landmarks Commission established by City Charter.

H. "**COUNTY ASSESSOR.**" The Tax Assessor of the County of Santa Barbara.

I. "**CULTURAL.**" Pertaining to the concepts, habits, skills, arts, instruments, institutions, etc. of a given people in a given period.

J. "**DEMOLITION.**" The permanent removal from a structure of either a significant component or a character defining element, as may be determined by the Historic Landmarks Commission or where appropriate, by the Community Development Director. Demolition shall include, but not be limited to, the act of pulling down, destroying, removing, relocating or razing a structure or commencing the work thereof with the intent of completing the same.

K. "**ELEVATIONS.**" The flat scale orthographic projected drawings of all exterior vertical surfaces of a building.

L. "**FAÇADE.**" The front of a building or the part of a building facing a street, courtyard, etc.

M. "**HISTORIC DISTRICT.**" A delineated geographic area of the City (or a noncontiguous grouping of real properties within the City) where most of the properties within the district are thematically architecturally related and possess historical significance, special character, or aesthetic value, including, but not limited to, a distinct section of the City possessing a significant concentration of cultural resources which are united historically or aesthetically either by plan or by physical development, as such a district is designated by the City Council, acting by resolution or by ordinance, as being worthy of protection under this Chapter.

N. **"HISTORIC RESOURCE."** A City designated "Landmark" or a City designated "Structure of Merit."

O. **"HISTORIC RESOURCE SURVEY."** A field investigation of structures, sites, or natural features within a certain designated area or neighborhood of the City made by the City for the purpose of identifying potential City Historic Resources.

P. **"LANDMARK."** A structure, natural feature, site or area having historic, architectural, archaeological, cultural or aesthetic significance and designated as a landmark under the provisions of this chapter.

Q. **"LANDMARK DISTRICT."** An area of the City of Santa Barbara containing a number of structures, natural features or sites having historic, architectural, archaeological, cultural or aesthetic significance and designated as a landmark district under the provisions of this Chapter.

R. **"MEMBER."** A member of the Historic Landmarks Commission of the City of Santa Barbara appointed under the provisions of the City Charter.

S. **"NATURAL FEATURE."** A tree, plant life or geological or other distinctive physical characteristic or natural feature or element present on the real property.

T. **"NEIGHBORHOOD."** An area of the City of Santa Barbara designated as such in the City's General Plan.

U. **"OWNER."** A person, association, partnership, firm, corporation or public entity appearing as the holder of legal title to any property on the last assessment roll of the County Assessor.

V. **"POTENTIAL HISTORIC RESOURCES LIST."** A list consisting of those structures, real property sites, or real property natural features which have been identified by the Historic Landmarks Commission as being a potentially significant historic resource as such identification process is provided for in Section 22.22.030 hereof.

W. **"PRESERVATION EASEMENT."** An interest held by the public in any structure, natural feature, site or area not owned by the public and restricting its use, alteration, relocation or demolition for the purpose of preservation.

X. **"PROJECT DESIGN APPROVAL."** The review and approval of an application on its merits where the application has been filed pursuant to Santa Barbara Municipal Code Chapter 22.22, Chapter 22.68, or Chapter 22.69 and where the minutes of the Historic Landmarks Commission (or the Architectural Board of Review or the Single Family Design Board, as the appropriate case may be)

designate the approval as the "Project Design Approval." For the purposes of the state "Permit Streamlining Act" (Government Code section 65950 et seq.), the "Project Design Approval" is the substantive approval of the project on its design merits.

~~XY.~~ "SITE PLAN." A flat scale drawing of the place where something is, is to be, or was located.

~~YZ.~~ "STRUCTURE." A building or any other man-made object affixed on or under the ground.

~~ZAA.~~ "STRUCTURE OF MERIT." A structure not designated as a landmark but deserving official recognition as having historic, architectural, archaeological, cultural or aesthetic significance and designated as a Structure of Merit under the provisions of this Chapter.

22.22.180 Expiration of Project Design Approvals.

~~A. CONCEPT REVIEW.~~ Conceptual comments by the Commission are valid for one year from the date of the last conceptual review.

A. PRELIMINARYPROJECT DESIGN APPROVAL.

1. ~~One-Year Expiration.~~ A ~~preliminary~~ Project Design Approval issued by the Historic Landmarks Commission or the City Council on appeal shall expire by limitation and become null and void if ~~final approval is not granted by the Commission or the City Council, on appeal, within twelve (12) months a building permit for the project is not issued within three (3) years~~ of the granting of the ~~preliminary~~Project Design Approval by the Commission or the City Council on appeal.

2. ~~Community Development Director Extension of Project Design Approvals.~~ Upon a written request from the applicant submitted prior to the expiration of the ~~preliminary~~ Project Design Approval, the Community Development Director may grant one (1) ~~twelve month~~two-year extension of ~~preliminary~~ a Project Design Approval.

~~C. FINAL APPROVAL.~~

~~1. Two-Year Expiration.~~ A final approval from the Commission or the City Council, on appeal, shall expire by limitation and become null and void if a building permit for the building or work authorized by the approval is not issued within twenty four (24) months of the granting of the final approval by the Commission or the City Council, on appeal.

~~2. Community Development Director Extension.~~ Upon a written request from the applicant submitted prior to the expiration of the approval, the Community Development Director may grant one

~~(1) twelve-month extension of the final approval. Extensions of time may be granted by the Community Development Director upon findings that the applicant has demonstrated due diligence to implement and complete the proposed development as substantiated by competent evidence in the record and that there are no changed circumstances that may affect the consistency of the development with this Chapter 22.69, the Commission Guidelines, and applicable City ordinances, resolutions and other laws.~~

~~3. **Extensions by the Commission.** In addition to the twelve-month extension by the Community Development Director, upon a written request from the applicant submitted prior to the expiration of the approval, the Commission may grant up to two (2) twelve-month extensions of the final approval. Extensions of time may be granted by the Commission upon finding that the applicant has demonstrated due diligence to implement and complete the proposed development as substantiated by competent evidence in the record and that there are no changed circumstances that may affect the consistency of the development with this Chapter 22.22, the Commission Guidelines, and applicable City ordinances, resolutions and other laws.~~

~~4. **Projects with Multiple Approvals.** Notwithstanding the two-year expiration specified in paragraph 1 above, if a project requiring Design Review pursuant to this Chapter also requires discretionary approvals from the Staff Hearing Officer, Planning Commission, or City Council pursuant to Title 27 or 28 of this Code, the expiration date of the final approval of the Historic Landmarks Commission or City Council, on appeal, shall correspond with the expiration date of the longest discretionary approval granted for the project. If a building permit for the building or work authorized by the final approval is not issued before the expiration date of the longest discretionary approval for the project, the final approval shall expire by limitation and become null and void.~~

~~**DB. EXCLUSIONS OF TIME.** For projects that do not require discretionary approvals from the Staff Hearing Officer, Planning Commission, or City Council pursuant to Title 27 or 28 of this Code, the time periods specified in this section for preliminary approval or final approval shall not include any period of time during which either 1. a moratorium on the issuance of building permits, imposed after the preliminary or final approval, is in effect; or 2. a lawsuit involving the preliminary or final approval is or was pending in a court of competent jurisdiction.~~

~~**B. The time period specified in this Chapter for the validity of**~~

a Project Design Approval shall not include any period of time during which either of the following applies:

1. a City moratorium ordinance on the issuance of building permits, is in effect; or
2. a lawsuit challenging the validity of the Project's approval by the City is pending in a court of competent jurisdiction.

SECTION TWO. Sections 22.68.015 and 22.68.110 of Chapter 22.68 "Architectural Board of Review" of Title 22 of the Santa Barbara Municipal Code are amended to read as follows:

Section 22.68.015 Definitions.

A. **DEFINED IN THIS CHAPTER.** If any word or phrase is defined in this Chapter 22.68, the definition given in this Chapter shall be operative for the purposes of this Chapter.

B. **DEFINED IN CHAPTER 28.04.** If a word or phrase used in this Chapter 22.68 is not defined in this Chapter, but is defined in Chapter 28.04 of this Code, the word or phrase shall have the same meaning in this Chapter as the meaning specified in Chapter 28.04.

C. **UNDEFINED WORDS AND PHRASES.** Any words or phrases used in this Chapter 22.68 that are not defined in this Chapter or Chapter 28.04 of this Code shall be construed according to the common meaning of the words and the context of their usage.

D. **PROJECT DESIGN APPROVAL.** With respect to design review by the Architectural Board of Review, a "Project Design Approval" is as defined in SBMC Section 22.22.020

Section 22.68.110 Expiration of Project Design Approvals.

~~A. **CONCEPT REVIEW.** Conceptual comments by the Architectural Board of Review are valid for one year from the date of the last conceptual review.~~

A. **PRELIMINARYPROJECT DESIGN APPROVAL.**

1. ~~**One-Year Expiration**~~ A ~~preliminary~~ Project Design Approval issued by the Architectural Board of Review or the City Council on appeal shall ~~expire by limitation and become null and void if final approval is not granted by the Architectural Board of Review or the City Council, on appeal, within twelve (12) months~~ a building permit for the project is not issued within three (3) years of the granting of the ~~preliminary~~Project Design Approval by the Architectural Board of Review or the City Council on appeal.

2. ~~Community Development Director~~ Extension of Project Design Approvals. Upon a written request from the applicant submitted prior to the expiration of the ~~preliminary~~ Project Design Approval, the Community Development Director may grant one (1) ~~twelve-month~~ two-year extension of a Project Design Approval. ~~an preliminary approval.~~

~~C. FINAL APPROVAL.~~

~~1. Two-Year Expiration.~~ A final approval from the Architectural Board of Review or the City Council, on appeal, shall expire by limitation and become null and void if a building permit for the building or work authorized by the approval is not issued within twenty four (24) months of the granting of the final approval by the Architectural Board of Review or the City Council, on appeal.

~~2. Community Development Director Extension.~~ Upon a written request from the applicant submitted prior to the expiration of the approval, the Community Development Director may grant one (1) twelve month extension of the final approval. Extensions of time may be granted by the Community Development Director upon findings that the applicant has demonstrated due diligence to implement and complete the proposed development as substantiated by competent evidence in the record and that there are no changed circumstances that may affect the consistency of the development with this Chapter 22.68, the Architectural Board of Review Guidelines, and applicable City ordinances, resolutions and other laws.

~~3. Extensions by the Board.~~ In addition to the twelve-month extension by the Community Development Director, upon a written request from the applicant submitted prior to the expiration of the approval, the Architectural Board of Review may grant up to two (2) twelve month extensions of the final approval. Extensions of time may be granted by the Architectural Board of Review upon finding that the applicant has demonstrated due diligence to implement and complete the proposed development as substantiated by competent evidence in the record and that there are no changed circumstances that may affect the consistency of the development with this Chapter 22.68, the Architectural Board of Review Guidelines, and applicable City ordinances, resolutions and other laws.

~~4. Projects with Multiple Approvals.~~ Notwithstanding the two-year expiration specified in paragraph 1 above, if a project requiring Design Review pursuant to this Chapter also requires discretionary approvals from the Staff Hearing Officer, Planning Commission, or City Council pursuant to Title 27 or 28 of this Code, the expiration date of the final approval of the

~~Architectural Board of Review or City Council, on appeal, shall correspond with the expiration date of the longest discretionary application granted for the project. If a building permit for the building or work authorized by the final approval is not issued before the expiration date of the longest discretionary approval for the project, the final approval shall expire by limitation and become null and void.~~

DB. Exclusions of Time. ~~For projects that do not require discretionary approvals from the Staff Hearing Officer, Planning Commission, or the City Council pursuant to Title 27 or 28 of this Code, the time periods specified in this section for preliminary or final approval shall not include any period of time during which either 1. a moratorium on the issuance of building permits, imposed after the preliminary or final approval, is in effect; or 2. a lawsuit involving the preliminary or final approval is or was pending in a court of competent jurisdiction.~~

The time period specified in this Chapter for the validity of a Project Design Approval shall not include any period of time during which either of the following applies:

1. a City moratorium ordinance on the issuance of building permits, is in effect; or
2. a lawsuit challenging the validity of the Project's approval by the City is pending in a court of competent jurisdiction.

SECTION THREE. Sections 22.69.015 and 22.69.090 of Chapter 22.69 "Single Family Design Board" of Title 22 of the Santa Barbara Municipal Code are amended to read as follows:

Section 22.69.015 Definitions.

A. DEFINED IN THIS CHAPTER. If any word or phrase is defined in this Chapter 22.69, the definition given in this Chapter shall be operative for the purposes of this Chapter.

B. DEFINED IN CHAPTER 28.04. If a word or phrase used in this Chapter 22.69 is not defined in this Chapter, but is defined in Chapter 28.04 of this Code, the word or phrase shall have the same meaning in this Chapter as the meaning specified in Chapter 28.04.

C. UNDEFINED WORDS AND PHRASES. Any words or phrases used in this Chapter 22.69 that are not defined in this Chapter or Chapter 28.04 of this Code shall be construed according to the common meaning of the words and the context of their usage.

D. **PROJECT DESIGN APPROVAL.** With respect to design review by the Single Family Design Board, a "Project Design Approval" is as defined in SBMC Section 22.22.020.

Section 22.69.090 Expiration of Project Design Approvals.

A. ~~CONCEPT REVIEW.~~ Conceptual comments by the Single Family Design Board are valid for one year from the date of the last conceptual review.

A. **PRELIMINARY PROJECT DESIGN APPROVAL.**

1. ~~One-Year Expiration~~ A preliminary Project Design Approval issued by the Single Family Design Board or the City Council on appeal shall expire by limitation and become null and void if ~~final approval is not granted by the Single Family Design Board or the City Council, on appeal, within twelve (12) months~~ a building permit for the project is not issued within three (3) years of the granting of the preliminary Project Design Approval by the Single Family Design Board or the City Council on appeal.

2. ~~Community Development Director Extension of Project Design Approval.~~ Upon a written request from the applicant submitted prior to the expiration of the preliminary Project Design Approval, the Community Development Director may grant one (1) ~~twelve-month~~ two-year extension of a preliminary Project Design Approval.

~~C. **FINAL APPROVAL.**~~

~~1. **Two-Year Expiration.** A final approval from the Single Family Design Board or the City Council, on appeal, shall expire by limitation and become null and void if a building permit for the building or work authorized by the approval is not issued within twenty four (24) months of the granting of the final approval by the Single Family Design Board or the City Council, on appeal.~~

~~2. **Community Development Director Extension.** Upon a written request from the applicant submitted prior to the expiration of the approval, the Community Development Director may grant one (1) twelve-month extension of the final approval. Extensions of time may be granted by the Community Development Director upon findings that the applicant has demonstrated due diligence to implement and complete the proposed development as substantiated by competent evidence in the record and that there are no changed circumstances that may affect the consistency of the development with this Chapter 22.69, the Single Family~~

~~Design Guidelines, and applicable City ordinances, resolutions and other laws.~~

~~3. **Extensions by the Board.** In addition to the twelve-month extension by the Community Development Director, upon a written request from the applicant submitted prior to the expiration of the approval, the Single Family Design Board may grant up to two (2) twelve-month extensions of the final approval. Extensions of time may be granted by the Single Family Design Board upon finding that the applicant has demonstrated due diligence to implement and complete the proposed development as substantiated by competent evidence in the record and that there are no changed circumstances that may affect the consistency of the development with this Chapter 22.69, the Single Family Design Guidelines, and applicable City ordinances, resolutions and other laws.~~

~~4. **Projects with Multiple Approvals.** Notwithstanding the two-year expiration specified in paragraph 1 above, if a project requiring Design Review pursuant to this Chapter also requires discretionary approvals from the Staff Hearing Officer, Planning Commission, or City Council pursuant to Title 27 or 28 of this Code, the expiration date of the final approval of the Single Family Design Board or City Council, on appeal, shall correspond with the expiration date of the longest discretionary approval granted for the project. If a building permit for the building or work authorized by the final approval is not issued before the expiration date of the longest discretionary approval for the project, the final approval shall expire by limitation and become null and void.~~

~~**EXCLUSIONS OF TIME.** For projects that do not require discretionary approvals from the Staff Hearing Officer, Planning Commission, or the City Council pursuant to Title 27 or 28 of this Code, the time periods specified in this section for preliminary or final approval shall not include any period of time during which either 1. a moratorium on the issuance of building permits, imposed after the preliminary or final approval, is in effect; or 2. a lawsuit involving the preliminary or final approval is or was pending in a court of competent jurisdiction.~~

B. The time period specified in this Chapter for the validity of a Project Design Approval shall not include any period of time during which either of the following applies:

1. a City moratorium ordinance on the issuance of building

permits, is in effect; or

2. a lawsuit challenging the validity of the Project's approval by the City is pending in a court of competent jurisdiction.

SECTION FOUR. Section 22.70.050 of Title 22 of the Santa Barbara Municipal Code is hereby amended to read as follows:

Section 22.70.050 Sign Permits.

A. APPLICATION. Any person desiring to construct, maintain or display a sign for which a permit is required shall submit an application to the Planning Division of the Community Development Department. The application shall be made upon forms provided by the Community Development Department and shall be accompanied by the following materials:

1. Two copies of a plan showing:

a. The position of each sign and its relation to adjacent buildings or structures.

b. The proposed design, size, colors, and location on the premises of each sign including the type and intensity of any proposed lighting.

2. A statement showing the sizes and dimensions of all signs existing on the premises at the time of making such application.

3. Such other information as the Director of the Community Development Department may require to show full compliance with this and all other ordinances of the City of Santa Barbara.

4. A written authorization to submit the sign permit application signed by the property owner or lessee.

B. FEES. The sign permit application shall be accompanied by the appropriate fee established by the City Council by resolution. If installation of a sign is commenced before an application for a permit is made or before the plans are approved by the Sign Committee, the applicant shall be charged an additional field inspection fee equal to the permit fee.

C. PROCESSING APPLICATIONS.

1. Community Development Department staff shall review the application and accept it as complete or reject it as incomplete within three (3) working days from the date of filing.

2. No sign permit application will be accepted if:

a. The applicant has installed a sign in violation of the provisions of this Chapter and, at the time of the submission of the application, each illegal sign has not been legalized, removed or included in the application; or

b. Any sign under the control of the applicant on the premises of the proposed sign was installed in violation of this Chapter and at the time of submission of the application, each illegal sign has not been legalized, removed or included in the application; or

c. The sign permit application is substantially the same as an application previously denied by staff or the Sign Committee or, on appeal, by the Historic Landmarks Commission, the Architectural Board of Review, or the City Council, unless:

i. Twelve (12) months have elapsed from the date of the final decision on the application; or

ii. New evidence or proof of changed conditions is furnished in the new application.

3. Assignment of Level of Review. Community Development Staff will review each sign permit application and assign each complete application to one of three review categories: conforming review, consent review, or full board review. Sign permit applications will be assigned to conforming review based on the criteria found in Section 22.70.050.E. Most other sign permit applications will be assigned to consent review. Sign permit applications that involve multiple exception requests, a large number of signs, or a large volume of signage will be assigned to full board review. Prior to a hearing on Consent Review, any member of the Sign Committee, Architectural Board of Review, or the Historic Landmarks Commission may request that an application assigned for consent review be re-assigned for full board review.

D. BUILDING AND ELECTRICAL PERMITS. After a sign has been approved by the Sign Committee the applicant shall obtain all required building and electrical permits from the Building and Safety Division ~~of Land Use Controls~~ of the Community Development Department.

E. CONFORMING AND CONSENT SIGN REVIEW.

1. Sign Conformance Determination. Applications for signs conforming to the Sign Ordinance and Sign Review Guidelines may be eligible for review and approval by the Chair or Vice-Chair of the Sign Committee or their designated alternate. Conforming signs which meet the following criteria shall be referred by

Staff for Conforming Sign Review:

1a. Signs where the size, shape, color, placement, and any lighting of the sign is consistent with adopted guidelines.

b. Signs located within El Pueblo Viejo Landmark District that comply with the requirements of Section 22.70.040.B and would be compatible with the required architectural style described in Section 22.22.104.

c. Minor wording, name, color and/or face changes which do not affect the character or location of a sign;

2d. Signs for a commercial or industrial complex where a previously approved sign program is in effect and the proposed sign conforms to the program;

3e. Thirty (30) day extension of temporary signage;

4f. Conceptually approved signs, if all Committee conditions are met; and

~~5. Ongoing flag changes if there is no change to the Sign Committee approved flag programs; and~~

6g. Awning signs.

Sign applications which do not meet these specific criteria may be referred by Staff or the Chair, Vice-Chair or their designated alternate for Conforming Sign Review, if deemed appropriate. In addition, the full Sign Committee may also direct some projects or portions of projects to the Conforming Sign Review for approval.

2. Conforming Review. Conforming reviews are conducted by any one (1) member of the Sign Committee.

3. Consent Review. Consent reviews are conducted by any two (2) members of the City Committee.

4. Standard of Review and Findings. Conforming review and consent review are conducted using the review criteria provided in Section 22.70.050.G and making the findings required in Section 22.70.050.H.

~~F. PERMITS REVIEWED BY THE SIGN COMMITTEE. The Sign Committee shall take action to approve, conditionally approve or deny an application within twenty-one (21) days from the date of acceptance thereof. If no action is taken by the Sign Committee within said period or within any extension approved by the applicant, the application shall be deemed approved as submitted, provided the proposed sign otherwise complies with the provisions of this Chapter.~~

FULL BOARD REVIEW. Full board review is conducted by the ABR or, if the sign is located in El Pueblo Viejo Landmarks District or the sign is proposed on a site that is a designated historic resource or potential historic resource, the HLC. When conducting a full board review of a sign permit application, the ABR or HLC shall assume the role of the Sign Committee, as provided in Chapter 22.70 and amended by this ordinance. The ABR or HLC shall employ the current adopted Sign Review Guidelines and shall conduct its review using the review criteria provided in Section 22.70.050.G and making the findings required in Section 22.70.050.H.

G. SIGN REVIEW CRITERIA.

1. In reviewing a sign permit application, staff and the Sign Committee shall apply the following criteria as the basis for action:

a. The sign shall be in proportion with and visually consistent with the architectural character of the building.

b. The sign shall not constitute needless repetition, redundancy or proliferation of signing.

c. The location of the proposed sign and the design of its visual elements (lettering, colors, decorative motif, spacing and proportion) shall result in a sign which is legible under normal viewing conditions existing at the sign's proposed location.

d. The sign shall not obscure from view or unduly detract from existing signing.

e. If the proposed sign will be adjacent to, in or near a residential area, it shall be harmonious and compatible with the residential character of the area.

f. The size, shape, color and placement of the sign and any lighting shall be compatible to and harmonious with the building which it identifies and with the area in which it will be located.

g. If the sign is to be located in El Pueblo Viejo Landmark District, the sign shall comply with the requirements of Section 22.70.040.E and shall be compatible with the required architectural style described in Section 22.22.104.

2. If a sign permit application satisfies the above criteria and complies with the other provisions of this Chapter, it shall be approved.

H. FINDINGS. If a sign permit application is denied, specific and detailed findings setting forth the reasons why the proposed

sign violates the criteria set forth above or other provisions of this Chapter shall be prepared in writing and mailed to the applicant or his agent and sign contractor within seven (7) days.

I. APPEALS. The applicant or any interested person may appeal decisions concerning sign permit applications as follows:

1. Appeals to the Architectural Board of Review or the Historic Landmarks Commission. Any action of the Sign Committee or of the Division staff may be appealed by the applicant or any interested party to the Architectural Board of Review or, if the sign is in El Pueblo Viejo Landmark District or if the sign is proposed on a site that is a designated historic resource or potential historic resource, to the Historic Landmarks Commission. Said appeal shall be in writing, shall state reasons for the appeal and shall be filed with the staff of the Architectural Board of Review or the Historic Landmarks Commission within ten (10) days of the meeting at which the decision being appealed was rendered. A hearing shall be held by the Architectural Board of Review or the Historic Landmarks Commission, as appropriate, at the first available meeting of the Architectural Board of Review or the Historic Landmarks Commission following the filing of the appeal. Notice of the time and place of the hearing shall be sent to the applicant and appellant no later than five (5) days prior to said hearing. The Board or Commission may affirm, reverse or modify the decision of the Sign Committee or staff concerning the sign permit application. Said action shall take place within twenty-eight (28) days from the date of the filing of the appeal. Failure to act within said period will result in the sign permit application being deemed approved to the extent that it complies with the provisions of this Chapter. Upon such an automatic approval, the Division of Land Use Controls shall issue the permit. No member of the Board or Commission who is also a member of the Sign Committee and who participated in the decision of the Sign Committee shall act on the appeal.

2. Appeal to the City Council. An appeal to the City Council from the decision of the Architectural Board of Review or the Historic Landmarks Commission shall be made pursuant to the provisions of Section 1.30.050 of this Code.

J. EXPIRATION OF PENDING APPLICATION. Signs must be installed within six months of the date of approval or the approval is void, unless the applicant has requested and received an extension not exceeding six (6) months from the Community Development Director.

SECTION FIVE. Section 27.07.110 of Chapter 27 of Title 27 of the Santa Barbara Municipal Code is hereby amended to read as follows:

Section 27.07.110 Expiration and Extensions of Tentative Maps

A. EXPIRATION. The approval or conditional approval of a tentative map shall expire twenty-four (24) months from the date the map was approved or conditionally approved.

B. EXTENSION. The subdivider may request an extension of the tentative map approval or conditional approval by written application to the Staff Hearing Officer filed with the Community Development Department, such application to be filed before the expiration of the tentative map. The application shall state the reasons for requesting the extension. The Staff Hearing Officer shall grant or deny the request for an extension. In granting an extension, the Staff Hearing Officer may impose new conditions or revise existing conditions.

C. APPEAL. If the Staff Hearing Officer denies the subdivider's application for an extension, the subdivider may appeal said denial to the City Council within fifteen (15) days after the Staff Hearing Officer action.

D. TIME LIMIT ON EXTENSIONS. An extension or extensions of tentative map approval or conditional approval shall not exceed an aggregate of three (3) years beyond the expiration of the twenty-four (24) month period provided in Subsection A above.

E. EFFECT OF MAP MODIFICATION ON EXTENSION. Modification of a tentative map after approval or conditional approval shall not extend the time limits imposed by this section.

F. LITIGATION TOLLING PURSUANT TO THE SUBDIVISION MAP ACT. The period of time specified in this section for the validity of a tentative map, including any extension thereof, granted pursuant to the state Subdivision Map Act, shall not include the period of time during which a lawsuit involving the approval or conditional approval of the tentative map is or was pending in a court of competent jurisdiction provided that such litigation tolling does not exceed a period of five (5) years.

For the purposes of compliance with subsection (c) of Government Code Section 66452.6 (a part of the state Subdivision Map Act), this subparagraph shall be deemed the local agency's express approval of the tolling of the period of time during which a tentative map's approval is subject to litigation. The Community Development Direction may adopt administrative procedures for requiring an applicant to advise the City of litigation challenging the validity of a tentative map's approval or conditional approval and for documenting the period

of time involved in such litigation.

SECTION SIX. Sections 28.87.220, 28.87.350, 28.87.360, and 28.87.370 of Chapter 28.87 of Title 28 of the Santa Barbara Municipal Code are amended to read as follows:

Section 28.87.220 Zoning Information Report.

1A. STATEMENT OF LEGISLATIVE INTENT.

These regulations are intended to require a Zoning Information Report for purchasers of residential property, setting forth matters of City record pertaining to the authorized use, occupancy, zoning and the results of a physical inspection of the property. Primary purpose of the report is to provide information to the potential buyer of residential property concerning the zoning and permitted use of the property.

2B. DEFINITIONS.

a1. "Owner" shall mean any person, co-partnership, association, corporation or fiduciary having legal or equitable title or any interest in any real property.

b2. "Residential property" shall mean any improved real property, designed or permitted to be used for any residential purpose, situated in the City and shall include the building or structures located on said improved real property.

e3. "Agreement of sale" shall mean any agreement or written instrument which provides that title to any property shall thereafter be transferred for consideration from one (1) owner to another owner.

3C. REPORT REQUIRED.

a1. Application. Except where a sale is exempt from the requirements of this section pursuant to Subsection G below, No later than five (5) days after entering into an "agreement of sale" of any residential property, the owner or owner's authorized representative shall make application to the City for a Zoning Information Report to the Community Development Director on a form provided, and pay a fee as established by resolution of the City Council.

Under normal circumstances the report will be available no later than fifteen (15) working days after the application is received by the Community Development Director.

b2. Copy to Buyer. Said owner or owner's authorized representative shall provide a copy of the report to the buyer or buyer's authorized representative no later than three (3) days prior to consummation of the transfer of title. The buyer or buyer's authorized representative may waive in writing the

requirement for delivery three (3) days prior to consummation of the transfer of title but in any event the report shall be provided to the buyer or buyer's authorized representative prior to the consummation of the transfer of title.

e3. Proof of Receipt. Proof of receipt of a copy of the report shall be obtained by the owner or owner's authorized representative prior to consummation of the transfer of title. Said proof shall consist of a statement signed by the buyer or buyer's authorized representative stating that the report has been received, the date of the report and the date it was received. City shall provide a receipt form with each zoning information report. The original of the signed proof of receipt shall be mailed or delivered to the Community Development Director of the City no later than the consummation of the transfer of title.

4D. **CONTENTS OF ZONING INFORMATION REPORT.**

The Community Development Director shall review the applicable City records and provide the applicant the following information on the Zoning Information Report:

a1. Street address and parcel number of the property.

b2. The zone classification and permitted uses as set forth in the Zoning Ordinance of the City of Santa Barbara.

e3. Occupancy and use permitted as indicated and established by records.

d4. Variance, special use permits, conditional use permits, modifications and other administrative acts of record.

e5. Any special restrictions in use or development which are recorded in City records and may apply to the property.

f6. Any known nonconformities or violations of any ordinances or law.

g7. The results of a physical inspection for compliance with the Zoning Ordinance and for compliance with Chapter 14.46 of this Code.

h8. A statement of whether the real property has had a Building Sewer Lateral Report prepared for the real property pursuant to the requirements of Santa Barbara Municipal Code Chapter 14.46 within the five (5) year period prior to the preparation of the Zoning Information Report and, if so, that a copy of the Building Sewer Lateral Report is available from the City for the buyer's inspection. All Zoning Information Reports shall also contain an advisory statement (in bold not less than 10 point typeface) prepared by the Public Works Director which

advises a purchaser of residential real property regarding the potential problems and concerns caused by an inadequate, failing, or poorly-maintained Building Sewer Lateral. In addition, the standard required advisory statement shall indicate the advisability of a purchaser obtaining a recently-prepared Building Sewer Lateral Inspection Report.

5E. VIOLATION OF LAW NOT PERMITTED.

Any report issued pursuant to this section shall not constitute authorization to violate any ordinance or law, regardless of whether the report issued pursuant to this section purports to authorize such violation or not.

6F. EXPIRATION OF REPORT.

Each report shall be valid for a period of twelve (12) months after date of issue or until a transfer of title occurs, whichever is sooner.

7G. EXEMPTIONS.

The provisions of this section shall not apply to the following sales:

1. The first sale of each separate a residential building located in a subdivision whose where the final subdivision or parcel map has been approved and recorded in accordance with the Subdivision Map Act not more than two (2) years prior to the first sale.

2. The sale of any residential property on which a new home is under construction pursuant to a valid building permit; or

3. ~~t~~The sale of any residential property where the final building permit inspection on a new home was issued within three (3) months of the date on which the owner entered into the agreement for the sale of a home to the buyer.

4. The sale of a condominium unit.

8H. EFFECT OF NONCOMPLIANCE.

It shall be unlawful for any owner to consummate the transfer of title to any residential property without providing the transferee with a Zoning Information Report as required in this Section 28.87.220. The failure to comply with the provisions of this Section shall not invalidate the transfer or conveyance of real property to a bona fide purchaser or encumbrancer for value.

Section 28.87.350 Development Plan Time Limits.

A. TIME LIMIT. A development plan approved pursuant to any provision of this Title shall expire four (4) years from the date of its approval, except as otherwise provided herein. No building or grading permit for any work authorized by a development plan shall be issued following expiration of that plan.

B. CONDITIONS. Any condition imposed on a development plan may, in the discretion of the body approving the development plan, also constitute (i) a condition to the issuance of and continued validity of any building or grading permit issued to implement that development plan, (ii) a condition to the issuance of the certificate of occupancy with respect to any improvements authorized by the development plan and (iii) if recorded with the County Recorder, to the continued validity of the certificate of occupancy. Violation of any such condition shall be grounds for suspension or revocation of any building or grading permit or certificate of occupancy issued with respect to the development plan.

C. EXTENSION OF TIME PERIOD. Upon application of the developer filed prior to the expiration of the development plan, the time at which the development plan expires may be extended by the Community Development Director for one (1) year.

An extension of the expiration date of a development plan shall be granted if it is found that there has been due diligence to implement and complete the proposed project as substantiated by competent evidence in the record.

D. SUSPENSION OF TIME DURING MORATORIUM. The period of time specified in Subsection A, including any extension thereof granted pursuant to Subsection C, shall not include any period of time during which a moratorium, imposed after approval of the development plan, is in existence, provided however, that the length of the moratorium does not exceed five (5) years. For purposes of this Subsection, a development moratorium shall include (i) a water or sewer moratorium, (ii) a water and sewer moratorium, and (iii) a building or grading permit moratorium, as well as other actions of public agencies which regulate land use, development, or the provision of services to the land other than the City, which thereafter prevents, prohibits, or delays the completion of the development.

Once a moratorium is terminated, the development plan shall be valid for the same period of time as was left to run on the development plan at the time that the moratorium was imposed. However, if the remaining time is less than 120 days, the development plan shall be valid for 120 days following the

termination of the moratorium.

E. SUSPENSION OF TIME DURING LITIGATION. The period of time specified in Subsection A, including any extension thereof granted pursuant to Subsection C, shall not include the period of time during which a lawsuit involving the approval of the development plan or related approvals is or was pending in a court of competent jurisdiction., ~~if the stay of time period is approved by the Planning Commission or City Council pursuant to this Section.~~ After service of the initial petition or complaint in the lawsuit upon the City, the developer applicant may advise ~~apply to~~ the City of the need for a litigation tolling stay pursuant to the City's adopted procedures. ~~Within forty (40) days after receiving the application, the City shall either stay the time period for up to five years or deny the requested stay. The City Council may, by resolution, establish procedures for reviewing a request for a stay, including, but not limited to, notice and hearing requirements, appeal procedures and other administrative requirements.~~

F. DEVELOPMENT PLANS ALREADY APPROVED.

1. Beginning Date - Development Plan Approvals. For the purpose of calculating the expiration date of development plans approved prior to the adoption of the ordinance approving this Section, the date of approval of such development plans shall be deemed to be the date said ordinance is adopted by the City Council.

2. Specific Plan Development Plan Approvals. For the purposes of calculating the expiration date of a Specific Plan project Development Plan approved in accordance with Santa Barbara Municipal Code Chapter 29.30, Development Plan approvals shall be deemed to expire eight (8) years after the date of the final City action approving the project Development Plan and shall include any related project approvals or modifications granted by the City in connection therewith.

Section 28.87.360 Abandonment and Revocation of Staff Hearing Officer or Planning Commission Approvals.

A. Abandonment or Non-Use of Approval. The validity of a Staff Hearing Officer or Planning Commission action approving a modification, conditional use permit, variance, or Performance Standard Permit shall terminate if (i) a building permit for the use authorized by the approval is not issued within twenty-four (24) months of granting the approval, unless an extension is granted by the Community Development Director, and the construction authorized by the permit diligently pursued to completion and issuance of a Certificate of Occupancy, or (ii) the use authorized by the approval is discontinued, abandoned or

unused for a period of six (6) months following the earlier of (a) issuance of a Certificate of Occupancy for the use, or (b) two (2) years from granting the approval.

B. SUSPENSION OF TIME DURING LITIGATION. The period of time specified in Subsection A shall not include the period of time during which a lawsuit involving the approval of the modification, conditional use permit, variance, or Performance Standard Permit or related approvals is or was pending in a court of competent jurisdiction. After service of the initial petition or complaint in the lawsuit upon the City, the applicant may advise the City of the need for a litigation tolling pursuant to the City's adopted procedures.

BC. VIOLATION OF CONDITIONS OF APPROVAL. If the conditions of approval of any variance, modification, conditional use permit or performance standard permit have not been met within any time limits established in such conditions, or have been violated as determined by the Community Development Director, the Staff Hearing Officer or Planning Commission may revoke these permits or approvals. A decision to revoke shall be made following a hearing, using the same noticing requirements that were applicable to the original permit or application.

CE. Appeals.

1. A decision of the Staff Hearing Officer to revoke a permit or other approval under this Section may be suspended or appealed pursuant to Section 28.05.020.

2. A decision of the Planning Commission to revoke a permit or other approval under this Section may be appealed to the City Council pursuant to Chapter 1.30. In addition to the procedures specified in Chapter 1.30, notice of the public hearing before the City Council on an appeal from a decision of the Planning Commission regarding a decision of the Staff Hearing Officer shall be provided in the same manner as notice was provided for the hearing before the Planning Commission. At the time of filing an appeal, the appellant shall pay a fee in the amount established by resolution of the City Council.

28.87.370 Timelines for ~~Staff Hearing Officer and Planning Commission~~Projects with Multiple Approvals.

A. ~~If the Staff Hearing Officer, Planning Commission, or City Council on appeal, approves a project requires~~ multiple discretionary applications pursuant to Titles 22, 27, or 28 of this Code ~~for the same project~~, the expiration date of all discretionary approvals (i.e., such as Title 22 design review, Title 27 subdivision map approval, or Title 28 land use approvals) shall correspond with the longest expiration date

specified by any of the land use discretionary applications (including any extensions that are granted for such approval and any applicable tolling or suspensions granted pursuant to this Chapter), unless such extension would conflict with state or federal law. The expiration date of all approvals shall be measured from date of the final action of the City on the longest discretionary land use approval related to the application, unless otherwise specified by state or federal law.

B. EXCLUSIONS OF TIME. The periods of time specified in this Section 28.87.370 shall not include any period of time during which either: 1. a moratorium ordinance on the issuance of building permits, imposed by the City after the project received project design approval, is or was in effect; or 2. a lawsuit involving the project design approval or the land use approvals for the project is or was pending in a court of competent jurisdiction. The maximum length of any exclusion of time under this subparagraph shall be five (5) years. If the project requires the approval of a tentative subdivision or parcel map pursuant to Title 27 of this Code, the length of any exclusion of time pursuant to this subsection shall be equal to the length of the exclusion approved by the local agency upon a request of the subdivider pursuant to Government Code Section 66452.6(c) and subsection (F) of SBMC 27.07.110.

C. APPROVALS RUN CONCURRENTLY. When any City discretionary approval is extended by operation of this Section 28.87.370, such approval shall run concurrently with, not consecutively to, the term of the longest discretionary land use approval for the project. If a building permit for the project has not been issued prior to the expiration of the longest discretionary land use approval for the project (including any extensions granted for that approval), all discretionary approvals for the project shall expire and become null and void upon the expiration of the longest discretionary land use approval. A design review approval shall not operate to extend a land use approval.

D. COMMENCEMENT OF TIMING FOR APPROVALS CONTINGENT UPON ACTION OF OTHER GOVERNMENTAL BODIES. When a discretionary approval by the City made pursuant to Titles 27 or 28 is contingent upon an action by another governmental body (i.e., for example, the approval of an annexation by the Local Agency Formation Commission or certification of an amendment to the Local Coastal Plan by the California Coastal Commission), the timeline for all discretionary approvals related to the project shall not commence until all such outside agency contingencies are satisfied. The suspension of project timelines allowed in this subsection shall not exceed two (2) years from the date of

the final City action on the discretionary approval that is contingent upon the action of another governmental body. This suspension shall not run consecutively to a moratorium or litigation exclusion unless the moratorium or litigation legally prevented the applicant from processing the application before the other governmental body.

SECTION SIX. This ordinance shall apply to all City design and land use project approvals which are valid and in effect as of the effective date of this ordinance.

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY
OF SANTA BARBARA APPROVING REVISED SIGN
REVIEW GUIDELINES

WHEREAS, The City of Santa Barbara has long recognized that signs are an integral part of the cityscape and, as such, can detract from or enhance the City's image and character;

WHEREAS, the City of Santa Barbara has an interest in ensuring sign applications for businesses are reviewed in an efficient and timely manner;

WEHREAS, due to staffing cutbacks, staff met with Sign Committee members in 2010 to develop an alternate review process for reviewing and approving sign applications;

WHEREAS; The Guidelines for the Sign Committee have been amended to reflect the changes to Chapter 22.70 to re-establish a Consent Review process for sign applications;

WHEREAS, Staff has worked with a subcommittee of the Sign Committee on ordinance and guideline changes;

WHEREAS, it is essential for the Sign Committee and public to refer to the Sign Review Guidelines for sign permit reviews to ensure compatible and harmonious signs are erected throughout the city;

WHEREAS, the Sign Committee, Architectural Board of Review, Historic Landmarks Commission, and Ordinance Committee recommend the proposed ordinance changes be adopted by Council; and

WHEREAS, under the provisions of Article 19, Section 15308 of the California Environmental Quality Act (CEQA) Guidelines; the adoption of the updated Sign Review Guidelines has been determined by Staff to Qualify for a Categorical Exemption.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA THAT the revised Sign Review Guidelines dated November 16, 2010, attached hereto as Exhibit A, are hereby adopted.

This resolution shall become effective upon the adoption of the ordinance relating to the processing of sign permits introduced on November 16, 2010.



SIGN COMMITTEE

SIGN REVIEW GUIDELINES

~~February 18, 1999~~

— November 16 ~~July 20~~, 2010

~~In addition to these General Guidelines,
the Sign Committee is guided by the following documents:~~

~~Architectural Board of Review Guidelines~~

~~Urban Design Guidelines~~

~~El Pueblo Viejo Guidelines~~

~~Upper State Street~~

~~Haley Milpas Design Manual~~

~~Airport Design Guidelines~~

~~Waterfront Area Design Guidelines~~

~~Upper State Street Design Guidelines~~

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SIGN COMMITTEE (SC)

SIGN REVIEW GUIDELINES

~~February 18, 1999~~

~~November 16, July 20, 2010~~

I. BACKGROUND, OBJECTIVES AND INTERPRETATION

A. BACKGROUND

A sign is the most prevalent mass communication medium and has a strong impact on the environment. Signs transmit messages beyond the boundaries of the sites on which they are located. Thus, they become the concern of all persons who inhabit or use an area.

The City of Santa Barbara recognizes that a sign is an integral part of the cityscape and, as such, can detract from or enhance the City's image and character. The City first adopted a sign ordinance in 1922. Many changes in sign review have occurred since that time. In 1960, the Architectural Board of Review (ABR) began reviewing certain types of signs. Their purview expanded by stages until all signs - permanent or temporary - were subject to ABR review. In 1977, the Landmarks Committee began to review signs in El Pueblo Viejo in order to assure that such signs comply with the Historic Structures Ordinance. In July 1977, in order to simplify and expedite the review process, a Sign Sub-Committee was formed from the membership of each of the two committees. The Sub-Committee reviewed, approved, conditionally approved or denied all signs subject to ratification of its actions by the ABR and the Landmarks Committee.

Subsequently, an amended Sign Ordinance was adopted in 1981. This ordinance changed the sub-committee to full committee status and added two members and an alternate from the business community. In June 1995, the Conforming Sign Review process was created to substitute for the Consent Calendar and to simplify the process for obtaining sign permit approvals. In August 2010, due to budget cutbacks, the Sign Committee was reconstituted to require that certain sign reviews be conducted on Consent Calendars and the Sign Review Guidelines were updated to reflect sign application processing changes.

B. GOALS AND OBJECTIVES

The Sign Committee's goals are:

1. To promote aesthetic signing and graphic design that enhances the architectural or historic quality of a building, and thus protect the distinct and historic nature of Santa Barbara's cityscape;
2. To promote signs that are visually effective; and
3. To promote high standards of graphic design and the construction of aesthetically pleasing signs.

These guidelines are intended to assist the public with the Sign Committee review process by clarifying the criteria and procedures to apply for a sign permit. These guidelines will be the basis for decisions by the Sign Committee. They are designed for use by architects, designers, business owners and managers, sign contractors, government agencies and the general public to assist in compliance with the Sign Ordinance.

C. INTERPRETATION AND APPLICATION

These Guidelines are designed to provide direction to the members of the Sign Committee and to the public as a whole; they are not intended to be binding in nature. Although failure to meet the Guidelines can form a basis for denial of a project, non-compliance with these Guidelines shall not be grounds to invalidate any action taken by the Sign Committee, nor shall such non-compliance constitute a cause of action against the City or its officers, employees or agents concerning any matter.

All questions regarding the proper interpretation and application of these Guidelines shall be resolved by the Sign Committee or, upon appeal, the ABR, HLC, or City Council.

II. APPLICATION REVIEW PROCEDURES

A. APPLICATION REVIEW

1. MEETING DATES AND LOCATION

~~Sign Committee Every other~~ Consent ~~Review c~~alendar meetings ~~dates coincide with of the regular Full Board~~ ABR and HLC ~~meeting days which occur every two weeks. — other Wednesday at 1:30 P.M. —~~ Meetings are held in the Public Meeting Room, Community Development Department, 630 Garden Street, Santa Barbara, California.

Occasionally there is a need to cancel a regular meeting or to hold a special meeting. Dates and times of such meetings shall be posted in the usual manner.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Division at (805) 564-5470. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements.

Conforming Sign Reviews ~~s are~~ conducted ~~on Wednesday of~~ ~~during~~ each week with ~~the~~ Planning Division Staff ~~and~~ ~~by~~ the Chair or Vice-Chair of the Sign Committee or their designated alternate.

2. APPLICATIONS AND FILING

Community Development Department/Planning Counter
630 Garden Street, Santa Barbara, California.

Hours: 8:30 A.M. to ~~12:00 P.M.;~~ ~~1:00 P.M. to~~ 4:30 P.M., Monday thru ~~Thursday and every other~~ Friday.

Application deadlines for the ~~full~~ Sign Committee; are one week in advance of the Sign Committee meetings. ~~Wednesday at 4:30 p.m. for the following Wednesday's meeting. —~~ There are no application deadlines for Conforming Sign Review. Applications for Conforming Sign Review may be submitted any time during the week and will be reviewed ~~during set times on Wednesday mornings. —~~ Planning Division Staff will inform the applicant of the approval. All applications shall be complete; no partial submittals will be accepted or scheduled. Submittal requirements are available at the Planning Counter.

3. NOTICE AND POSTING

The ~~regular~~ Sign Committee Consent Calendar agendas ~~are~~ posted for public review on the bulletin boards at City Hall, ~~the~~ City Clerk's office and ~~at the Community Development Department-Department in the Planning Counter area at 630 Garden Street~~, a minimum of 72 hours ~~prior to~~ each meeting.

4. **FEES**

Refer to current fee resolution adopted by the City Council. Staff at the Planning Counter can provide the information.

5. **STAFF**

Community Development Department
Planning Division
630 Garden Street

Phone: [\(805\) 564-5470](tel:(805)564-5470)

B. **PRESENTATION OF PROJECTS**

All levels of review, with the exception of the Conforming Sign Review, require the presentation of the project by the applicant or the applicant's representative. Items on the agenda not so represented shall be continued or postponed indefinitely. The applicant or representative will be responsible for rescheduling the project and paying additional fees, as applicable.

C. **REVIEW PROCESS**

1. An application form must be completed and permit fee paid to the Community Development Department, Planning Division. In addition, the following information and materials must be supplied by the applicant when the fee is paid:
 - a. Color and material samples, stating manufacturer's name and number, and identified as to location on the sign;
 - b. Photographs, mounted or printed on an 8½" x 11" sheet of paper, showing views of the building and/or site where the sign is to be located, all existing signs to remain, and views of surrounding properties. Poorly exposed photographs and Polaroid-type photographs are unacceptable;
 - c. Partial~~ly~~ colored renderings and drawings of signs to scale, including supporting structure~~s~~;
 - d. Building elevation to scale, including supporting structure~~s~~; and
 - e. Where applicable, complete sign lighting plans indicating type, placement, and wattage of fixture.
2. Applications are reviewed by staff for completeness to determine if they ~~can~~should be placed on the next open agenda. The applicant will be notified by mail of the date of the Sign Committee meeting, and either the applicant or agent must be present at the meeting unless prior arrangements are made with staff.

D. **LEVELS OF REVIEW**

1. **CONCEPT REVIEW**

- a. Informal review process during which no formal action is taken. Applicants are encouraged to come in with sketches and/or very conceptual drawings.

Comments are made that give the applicant general direction for future review but are not binding on future discussion of the item.

- b. The Committee shall not give a final approval until sufficient information has been given and additional fees have been paid.
- c. Concept review considers broad issues such as signage location, general architectural style and the sign's size and color.
- d. Consideration for possible exception(s) may also be discussed at concept review meetings.

2. **FINAL REVIEW**

- a. Final Review is a formal review of completed working drawings, prior to submittal for a building permit.
- b. The final plans will be approved if they are in substantial conformance with the plans given conceptual approval. All ~~ABR/HLC~~ Conditions of Approval shall be included on the plans ~~if signage is associated with a design review.~~
- c. At least two ~~three~~ members shall vote in order to grant Final Approval.
- d. All details, color samples, mounting hardware and exterior lighting fixtures ~~shall~~ should be included for review.

3. **REVIEW AFTER FINAL**

Review after Final occurs when there is a proposed change to a sign after final approval has been granted. Plans submitted should include all information on drawings which reflect the proposed changes. If changes are not clearly delineated or shown, they cannot be construed as approved. Additional fees are charged for Review after Final.

4. **CONFORMING SIGN REVIEW**

- a. Conforming Sign Review is meant to expedite the review of ~~minor-simple~~ conforming ~~type~~ signs if the signs are in compliance with the Sign regulations and consistent with sign design guidelines. -- Applications for signs conforming sign applications that are eligible for reviewed the Sign Ordinance and Sign Review Guidelines may be eligible for review and approved administratively by the Chair or Vice-Chair of the Sign Committee or their designated alternate -- The Conforming sign review level is expedited review process whereby applications and sign applications are not placed on Sign Committee agendas. Applicants are not required to attend or make a presentation of the project at Conforming sign review. The Sign Committee is informed of all actions and final decisions of the conforming reviews. Conforming signs which meet the following criteria shall be referred by Staff for Conforming Sign Review:

1. Signs where the size, shape, color and placement of the sign and any lighting would be consistent with adopted guidelines

2. Signs located in El Pueblo Viejo Landmark District, where the sign complies with the requirements of Section 22.70.040.E and would be compatible with the required architectural style described in Section 22.22.104.

- ~~3.~~ Minor wording, name, color and/or face changes which do not affect the character or location of a sign;
- ~~4.~~ Signs for a commercial or industrial complex where a previously approved sign program is in effect and the proposed sign conforms to the program;
- ~~5.~~ Thirty (30) day extension of temporary signage;
- ~~6.~~ Conceptually approved signs, if all Committee conditions are met;
- ~~7.~~ ~~Ongoing flag changes if there is no change to the Sign Committee approved flag programs; and~~
- ~~8.~~ Awning signs.

- b. Sign applications which do not meet these specific criteria may be referred by Staff or the Chair, Vice-Chair or their designated alternate for Sign Committee Consent or Full Board Conforming Sign Review, if deemed appropriate.
- c. The ~~full Sign Committee~~ ABR or HLC may also direct some projects or portions of projects to the Conforming Sign Review.
- d. Applicants are not required to attend or make a presentation of the sign application. Signs approved at the Conforming Sign Review will be announced at the ~~full~~ Sign Committee meeting and will be reflected in the minutes under General Business. No action by the ~~full~~ Committee is required.
- e. Sign applications reviewed at the Conforming Sign Review must be complete. If an application is incomplete, the application will be rejected or a warning of No Action will be given to the applicant.
- f. All items are considered for formal Final review except those submitted for Concept review.
- g. Items approved with conditions are considered to be approved "in concept". Final approval depends on plans being resubmitted to the Chair, Vice Chair or staff showing in detail all the revisions and changes required. When plans are received, staff will determine if the item is a Conforming Sign Review item. The applicant's presence is not necessary since the Chair or Vice-Chair will only be ratifying affirmation by staff that the conditions of approval are met.

5. **CONSENT REVIEW.** Consent Review is the primary review level for all new sign applications. Sign applications may be referred to the Consent Review level by staff when appropriate or when applications do not propose considerable amounts of signs or signage quantity. At this level, a consent calendar agenda is prepared and applicants are required to attend or make a presentation of the project. Two Sign Committee members assisted by Staff review the Consent Calendar items. Applications proposing exceptions to the Sign Ordinance may be reviewed at this level. The ABR or HLC may take an item off the Consent Calendar to be considered by the full ABR or HLC prior to the Sign Committee taking action.

5. **FULL BOARD REVIEW-ABR OR HLC SIGN REVIEW.** This level of review is necessary when an item that has been reviewed at the Consent Calendar level and is subsequently referred or appealed to the full board of the ABR or HLC. Sign applications may also be automatically referred by staff to the full ABR or HLC review bodies when applications propose considerable amounts of signs, sign exception requests, or total signage quantity. At this level, a regular ABR or HLC agenda is prepared and applicants are required to attend or make a presentation of the project. The ABR or HLC may refer an item back to the Sign Committee Consent Calendar for review of final details.

E. PROCEDURE FOR CONTINUANCES, POSTPONEMENTS, REFERRALS AND ABSENCES

1. A continuance is the carrying forward of an item under discussion to a future meeting. Presentation and discussion took place on the date on which the continuance occurred. To be considered for a continuance, the applicant must attend the meeting and make a presentation. An application may be continued (i) at the request of the applicant, (ii) by action of the Committee if a continuance is found to be necessary to receive reports from other agencies or departments which pertain to the project, or (iii) by the Committee if the applicant does not object.
2. A postponement is deferral of the consideration of an agenda item to a future meeting. No discussion or presentation takes place on the date a postponement occurs. To be considered for a postponement, the applicant must contact Sign Committee staff prior to the meeting date and state the reason(s) justifying the postponement. If an application has been postponed more than twice, the Sign Committee may deny the application without prejudice to a future application.

If an applicant fails to attend the Sign Committee meeting without having contacted staff, the item will be postponed indefinitely, or continued indefinitely if some discussion took place. It is the applicant's responsibility to reschedule the item for consideration.

~~Committee members absent when any item that was heard and discussed at previous meetings may comment and vote on such item if the applicant has no objection.~~

4. To reschedule Committee review after being continued or postponed indefinitely, the applicant must submit a Supplemental Application Form along with any revised plans.
5. **Consent Calendar Referrals to Full Board.** Items that are referred from the Consent Calendar to the Full ABR or HLC by the Consent Calendar reviewer will be placed on the next the Full Board meeting agenda. If the Full ABR or HLC pulls an item from the Consent Calendar and makes a motion to refer it to the Full Board, no additional conditions or requirements can be placed on that item unless the applicant is notified or has been given the opportunity to be present for the discussion. Staff will notify the applicant when an item is referred to the Full Board or if the Board could not approve the Consent Calendar item as presented. If for some reason, the applicant can-not attend such hearing, the item shall be rescheduled on the next available agenda.
6. **Absences at Consent Calendar.** Although not recommended, applicants need not be present for consideration of items on the Consent Calendar. Staff may present projects when applicants are absent. However, if an applicant does not attend the Consent Review, project approval may be delayed. If an applicant is absent, the project would not be denied on the Consent Calendar; instead, the project would be continued indefinitely.

F. APPEALS, EXCEPTIONS AND EXPIRATION OF APPROVAL

1. **APPEALS**
 - a. Any action or decision of the Sign Committee may be appealed. A letter of appeal must be filed with the Planning Division within ten (10) days of the contested action;

- b. Appeals for projects located within El Pueblo Viejo District will be heard by the full HLC. All other appeals will be heard by the full ABR;
- c. Any action of the HLC or the ABR may be appealed to the City Council by filing a letter of appeal with the City Clerk within ten (10) days of the contested action; and
- d. No member of any appeal board who is also a member of the Sign Committee and who participated in the decision of the Sign Committee shall act on the appeal.

2. **EXCEPTIONS**

- a. A person desiring to erect a sign which does not comply with the provisions of the Sign Ordinance must file an application for an exception and pay the fee as established by Council resolution.
- b. Before an exception may be approved, the following findings must be made by the Sign Committee:
 - (1) There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not generally apply to other properties in the vicinity.
 - (2) The granting of the exception will not be materially detrimental to the public welfare or injurious to the properties or improvements in the vicinity.
 - (3) The proposed sign is in conformance with the purpose and intent of the Sign Ordinance as stated in Santa Barbara Municipal Code Section 22.70.010.B.

3. **EXPIRATION OF APPROVAL**

The Sign Committee approval is not valid if a building permit is not obtained within 6 months after Sign Committee approval is granted. A time extension may be requested prior to the expiration date.

G. PLAN CHECK AND BUILDING PERMIT

1. After obtaining approval from the Sign Committee the applicant must obtain a building permit from the Building and Safety Division ~~Division of Land Use Controls~~.
2. An additional electrical permit is required for all illuminated signage.
3. Monument signs or structural details for sign attachment may require additional review by the Building and Safety Division ~~of Land Use Controls~~.

III. DUTIES, POLICIES AND CONDITIONS:

A. POWERS AND DUTIES

1. Review, approve, conditionally approve or deny sign permit applications;
2. Advise and confer with the ABR and the HLC concerning sign design considerations;
3. Keep a public record of all minutes, resolutions, motions and actions;
4. Conduct periodic surveys of the City to assure compliance with the Sign Ordinance; and,
5. Conduct surveys to determine signs of unique character.

B. SIGN COMMITTEE JURISDICTION

The Sign Committee reviews all applications for signs which require permits; these include:

1. Any new sign which is not exempted from review. (Exempt signs are listed in the Sign Ordinance);
2. All lighting associated with a sign;
3. All supports, mountings, and landscaping associated with a sign;
4. All face changes, name changes or any other change in the character of a sign; and
5. Any sign that is moved to another site or relocated on its current site.

Before a sign permit is issued for the display, construction or alteration of a sign within the City of Santa Barbara, the sign must have the approval of the Sign Committee.

C. SPECIFIC POINTS OF SIGN COMMITTEE REVIEW

1. Building frontage, relationships to architecture, sign area;
2. Colors, materials, mountings, graphic qualities;
3. Conformance to Historic District Guidelines;
4. Neighborhood compatibility;
5. Sign function and visibility;
6. Lighting;
7. Landscaping;
8. Sign Programs; and
9. Other approvals required.

D. POLICIES

The Sign Committee has established certain policy guidelines for each of the specific points of review. These are intended to provide general direction to an applicant coming before the Committee.

1. Building frontage:
 - a. The Sign Committee is primarily concerned with the appropriateness of the sign. A sign should be designed so that its size and proportion is properly related to the buildings on and near the site, and to the size, shape and orientation of the property;
 - b. A sign should be visually consistent with the architecture of the building which it identifies;
 - c. The maximums established by the Sign Ordinance are legal maximums only and as such may not necessarily be permitted; and
 - d. When two or more businesses share a building, the legal maximum sign area must be shared.
2. Colors, materials, graphic qualities and mountings:
 - a. Generally, all colors, except day-glo, may be allowable depending on their relationships to architecture, the business, and the neighborhood;

- b. The amount of copy and number of colors an individual sign contains should be limited. The listing of services rendered or items offered for sale, or the use of telephone numbers or arrows on the sign are generally unacceptable. A clear and direct graphic approach is best, when a directional indicator is deemed necessary, a graphic of a painted hand is preferable;
- c. Detailed copy could be handled several different ways including, on a separate panel from the main sign, in two inch or smaller letters in a window, or by a window display of products exclusive of copy;
- d. Signs shall be compatible with the buildings they identify in terms of materials, colors and design. Signs to be located on existing or proposed buildings should be designed to form an integral part of the building design and should not appear “tacked-on”;
- e. Projecting internally-illuminated signs detract from the architecture and are thus unacceptable;
- f. Sign boards should be pegged off the wall so as to appear to float on the wall surface;
- g. Logos and Registered Trademark

The Sign Committee may require that a graphic sign, logo, and/or registered trademark or brand name be reduced in size and quantity to comply with guidelines. All letters, numbers, punctuation, and readable symbols may be requested to be proportionally reduced in size whether or not they are a portion of a registered trademark.

The Sign Committee may request changes to tint, or tone to a logo or trademark colors to meet local uniform aesthetic and historic preservation regulations. Under the federal Lanham Act (15 U.S.C.A. 1121(b)), the Sign Committee cannot require the alteration of a registered trademark. This prohibition does not prevent the Sign Committee from asking an applicant to alter a mark voluntarily. If the applicant agrees to alter the mark voluntarily, the Sign Committee may enforce the agreed alteration and hold the applicant to the agreed alteration. If an applicant refuses to alter the mark voluntarily, the Sign Committee may (1) deny any display of the unaltered mark, (2) require the mark to be reduced in size, or (3) dictate where the mark may be displayed. The only thing the Sign Committee cannot require is the alteration of the mark itself. Proof of trademark registration may be required. Not all logos are registered trademarks.

If logo images, numerals, punctuation or readable symbols are proposed as part of a sign, then the character of the sign shall be evaluated to determine if it must also comply with the intent to limit sign size. These regulations are intended to have no effect on the businesses trademark. They limit only the choice of exterior sign(s) at a particular location.

Graphic elements such as pictures, color banding and patterns are not subject to letter size limitations but the graphic sign element may be considered too large and require a smaller size, regardless of whether it is a registered

trademark.

It is sometimes impractical to reduce a logo so that every letter is below the maximum height allowable. In this case, to enable the sign to be legible under normal viewing conditions, the Sign Committee may allow one or more letters to exceed the maximum if both the majority of letters and the average letter height are below the maximum. No exception request is required for this determination.

Logos or trademarks of products sold (as opposed to name of business) ~~should~~ shall be excluded from signs. The presence of product advertising logos makes the sign a courtesy logo sign, which is prohibited.

- h. Signs which read vertically are discouraged;
 - i. Neon or LED signs should be for business identification only. Neon or LED “BEER” and similar window signs are unacceptable as they detract from principal signage; “OPEN” signs are allowed as per the Sign Ordinance.
 - j. Gasoline price signs shall not exceed the minimum six inches (6”) required by State Law;
 - k. All exposed plastic signs shall have a matte finish;
 - l. Preference for use of dark background in internally illuminated cabinets (ground signage);
 - m. Preference of dark background and light (reversing) copy on all signs as they read better;
 - n. Signs which do not relate to the entrance address of the building on which they are placed, but instead are intended to be seen from a nearby thoroughfare or freeway will not be permitted; and
 - o. All signs on parcels immediately adjacent to EPV are subject to EPV regulations.
3. Conformance to Historic District Guidelines:
- a. In addition to other design considerations, signs in El Pueblo Viejo Landmark District (EPV) must be appropriate to the Hispanic architectural tradition of Santa Barbara and traditional sign design;
 - b. Lighting for signs in EPV shall be decorative and historical in character or else hidden from view. The use of lanterns is encouraged; spotlights are prohibited;
 - c. Lettering in the Spanish style is preferred;
 - d. The use of symbols or three dimensional forms is encouraged;
 - e. Spanish terminology and the use of 16th to 19th century graphic modes are also encouraged;
 - f. In general, lettering over ten inches (10") in height, the use of plastic, or internally illuminated signs are not allowed;

- g. Flush mounted signs of tile or stone are encouraged;
 - h. Use of metal brackets for projecting signs appropriate to EPV is encouraged;
 - i. It may be ~~requested~~~~necessary~~ to present a nationally recognized logo ~~or trademark~~ in a different format than it is normally presented to comply with the specific standards for EPV (see Section D2(g) above; and
 - j. For hotels and motels in EPV, a single neon "No Vacancy" sign shall be allowed subject to the following design standards:
 - (1) The sign be in compliance with Municipal Code Section 2.70.040 B.
 - (2) A double faced sign is allowed if in compliance with Municipal Code Section 22.70.030 D.6.
 - (3) It is further encouraged that the "No Vacancy" sign be incorporated into the main ground, wall, and projecting or other major identification signage.
 - k. The use of traditional methods and materials for sign fabrication and installation is preferred within EPV. The use of aluminum and vinyl lettering materials may be used with certain limitations. Aluminum is acceptable if it is coated with high-quality paint and it is not polished or exposed. High-quality vinyl lettering (2mm thickness) may be used on interior faces of window signs but is discouraged for use on other materials, such as stucco walls. In all cases, the applicant must provide samples and demonstrate that other materials are acceptable in appearance to the Sign Committee.
4. Neighborhood compatibility:
- a. The type of neighborhood, character of the area and traffic speeds shall be considered in designing a sign;
 - b. Signs that are appropriate for one use at one location may not be appropriate for a similar use at another location;
 - c. Signs shall have an individual character and should not be designed to mimic signs on adjacent properties; and
 - d. Signs shall not adversely affect adjacent structures; they should blend with other neighborhood signs.
5. Sign function and visibility:
- a. Signs shall be designed to identify the name of the business or occupant;
 - b. To be clearly readable, information should be limited;
 - c. Signs shall not detract from or interfere with other signs in the area, and should not be designed to compete with other signs in the area or the City;
 - d. Light backgrounds are discouraged on internally illuminated signs because visibility is lowered by a "wrap around" effect;
 - e. An easily visible address is as important to identification of a business as the name;

- f. The identity of the building or complex is important to offices and businesses sharing a building. The name of the building should be displayed prominently. A directory listing will eliminate a clutter of signs on a facade; and,
 - g. Ground signs are appropriate in areas of high speed vehicular circulation or unusually wide streets. They should be placed parallel or perpendicular to the street. Angled signs are not suitable.
 - h. Face changes to sign copy shall be evaluated to determine if the proposed changes are consistent with existing guidelines. Face changes to existing signs shall be considered new signs for the purposes of requiring non-conforming letter size, copy and over signage to be replaced to meet the current Sign Regulations. Face changes may occur without upgrades to the existing support brackets or sign box assemblies if the sign is not removed from its location or relocated to a different location.
6. Lighting:
- a. If lighting plans are not submitted with the sign application, it will be assumed that the sign is not to be illuminated. Any lighting installed subsequently will be illegal;
 - b. Generally, sign lighting should reflect a traditional approach and should be subservient to the signage itself. It is inconsistent with the ambiance of Santa Barbara to utilize lasers, moving or blinking lights, or optically projected images. Lighted signs shall be designed so that they are not unnecessarily bright. Lighting plans shall include product literature from the manufacturer for any new light fixture(s) to be used and should be consistent with the following guideline specifications:
 - e. ~~Exposed spot lights and electrical conduits are not acceptable. Spot lights shall be shielded and/or screened from public view by architectural details or plantings; and~~
 - d. ~~The use of lanterns and other forms of decorative lighting is encouraged.~~
 - e.(1) Externally illuminated ground signs should generally be lit with linear or compact fluorescent lamps, Light Emitting Diode (LED), or low-wattage halogen. Fixtures that accept screw-in floodlights are not allowed, except for shielded fixtures that are only capable of accepting a PAR-16 or PAR-20 halogen lamp. Fixtures should be located and aimed to confine light to the sign and should be shielded from view by use of landscaping or architectural elements.

- ~~d.~~ (2) Internally illuminated ground signs and wall-mounted cabinet signs with ~~i~~lluminated faces are discouraged due to their inconsistency with the ambiance of Santa Barbara. When used, dark backgrounds with lighter graphics are preferred. When a dark background is not proposed, it is especially important that the background be rendered opaque, allowing light to come through the graphics only. The depth of sign cabinets shall be kept to the minimum necessary. This sign type is not allowed in *El Pueblo Viejo*.
- ~~e.~~ (3) Halo-lit or back-lit signs, also know as “reverse pan channel” letters, have opaque faces and sides, and are preferred over face-lit or “pan channel” letters. Letters are internally illuminated with neon or *Light Emitting Diode (LED)*, and should be the least depth feasible for the light source used. White illumination is preferred, and should be a warm white and the minimum intensity necessary. Excessive illumination can tend to “bleed” around letters and make them less legible. Dimmers for adjusting the intensity of *LEDs* are not acceptable, as there is no means of controlling future upward adjustments. Letters should be individually mounted to the building and are not permitted to be installed on an electrical “raceway” channel or cabinet unless it can be aesthetically incorporated into the sign as a design element.
- ~~f.~~ (4) Face-lit channel letters or “pan channel” letters have translucent faces and opaque sides. Letters are internally illuminated with neon or *Light Emitting Diode (LED)*, and should be the least depth feasible for the light source used. Illumination should be the minimum intensity necessary. Excessively bright face-lit letters tend to visually “vibrate” and contribute to *glare* and *skyglow*. Letters should be individually mounted to the building and are not permitted to be installed on an electrical “raceway” channel or cabinet unless it can be aesthetically incorporated into the sign as a design element. This sign type is not allowed in *El Pueblo Viejo*.
- ~~g.~~ (5) Externally illuminated wall signs and hanging signs should generally be lit with compact *fluorescent* lamps, *Light Emitting Diode (LED)*, or with low-wattage halogen. Fixtures that accept screw-in floodlights are not allowed, except for *shielded* fixtures that are only capable of accepting a PAR-16 or PAR-20 halogen lamp. Fixtures should be located and aimed to confine light to the sign and to minimize *glare* from the vantage point of pedestrians or vehicles. Wherever possible, fixtures should be integrated into, or concealed by, architectural elements. Exposed conduits on walls are not allowed.
- ~~h.~~ (6) Ambient light from existing lighting on the building and from nearby streetlights should be considered in the review of wall signs and hanging signs, as there may already be sufficient illumination. Especially in *El Pueblo Viejo*, use of traditional lanterns is encouraged to provide illumination.
- ~~i.~~ (7). *Fluorescent* and *Light Emitting Diode (LED)* lamps should be warm to neutral color temperature (2700K to 3500K). *Fluorescent* lamps in internally illuminated cabinets may be 4100K. ***Fluorescent*** lamps should not be of the High Output (HO) or Very High Output (VHO) type.

- j. (8). Mounting of light fixtures on roofs to illuminate wall signs above a roof is not allowed.
 - kc. Exposed spot lights and electrical conduits are not acceptable. Spot lights shall be shielded and/or screened from public view by architectural details or plantings. ~~and~~
 - ld. The use of lanterns and other forms of decorative lighting is encouraged.
 - me. Gooseneck type lighting fixtures are not allowed for use in EPV District.
7. Landscaping:
- a. Landscaping in EPV shall conform to the EPV Guidelines List of Preferred Plants.
 - b. Low shrubs or dense ground cover is required to conceal non-decorative lighting fixtures.
 - c. Irrigation plans shall be included where applicable.
8. Sign Programs:
- a. Sign Programs may be required for buildings with ~~four~~ (4) or more tenants as determined by the Sign Committee. In some cases, updates or amendments to an outdated or previously ~~the~~-approved Sign Program may also be required in order to clarify consistency with current Sign Regulations. Refer to sign standards in Municipal Code Section 22.70.040, for residential, office, commercial and industrial uses; and
 - b. Applicants are encouraged to check with City staff regarding approved sign programs for multi-tenant sites.
 - c. Approved sign programs may include stated exceptions for tenant locations but those exceptions do not run automatically with the property. All new sign applications included in the sign program must reconsider the previous grounds for exception approvals and pay for the exception application fee if the sign letters or total signage areas are proposed for increases. If a sign program exists, face changes or minor applications that propose reduced signage letter heights ~~do~~ not require payment of new exception application fees.
9. Other approvals:
- a. The Transportation Division of the Public Works Department must review the plans for all ground signs to ensure conformance with safety standards prior to approval by the Committee. Encroachment of ground signs onto public property is illegal;
 - b. All signs approved by the Committee are subject to and dependent upon the applicant complying with all applicable ordinances, codes, regulations or adopted policies. ~~For example: the Sign Committee could approve a sign to be placed on a new awning, but the awning can only be approved by the ABR or HLC;~~

- c. Any changes in the approved plans for a sign must be reviewed by the Sign Committee; and
- d. Signs containing lights or involving other electric work require electrical permits. Any sign unless otherwise exempted, requires a building permit.

E. STANDARD CONDITIONS OF APPROVAL

The following conditions are attached, either in whole or in part, to all signs approved by the Committee. If any of these conditions are not acceptable, the applicant shall discuss them with the Committee at the time of the meeting.

- 1. The approval is granted only for the property as described in the application and any attachments thereto, and only for the signs approved as shown on the plans submitted;
- 2. All signs shall be located, constructed and maintained as shown on the plans submitted and approved unless otherwise approved by the Committee;
- 3. All materials and colors used shall be as represented or as specified by the Committee. Any deviation will require the express approval of the Committee. Once installed, all signs shall be maintained in accordance with the approved plans;
- 4. If the signs are not installed or placed as shown on the approved plans within six months after the date of approval, the approval will automatically become null and void. However, if the proposed plans, materials and adjacent areas remain unchanged, the Director of Community Development or his authorized representative may grant one additional six month extension of time for installation of the sign or signs approved;
- 5. Should the Committee as a condition of approval, require substantial changes to the sign plan or plans submitted, the applicant shall submit to staff a complete set of all such plans showing in detail all of the revisions required prior to any sign permit being issued;
- 6. Any sign approval is subject to the payment of all fees by the applicant to the City of Santa Barbara as required by Ordinance;
- 7. All sign bracing, with the exception of approved brackets, shall be screened in a manner acceptable to the Committee;
- 8. Should the Committee require, as a result of any action it may take, the removal of any existing sign or signs and lighting, then all such signs, lighting and their supports or mounts must be removed in conjunction with the installation of any new signs approved, unless an extension of time is granted by the Zoning Enforcement Officer; and,
- 9. Whenever a sign is removed from a building or structure, all sign supports, brackets, mounts, utilities or other connecting devices must be removed so that there is no trace of the removed sign or signs or the supports, brackets, mounts, utilities or other connecting devices.

F. SUPPLEMENTAL DESIGN GUIDELINES

In addition to the basic guidelines outlined in this document, guidelines for specific types of development and for specific areas of the City have been prepared with input from the HLC, ABR, Planning Commission and others. These supplemental guidelines are contained in separate documents and include the following:

1. EL PUEBLO VIEJO GUIDELINES: These Guidelines were established to describe the City's EPV Landmarks District and to maintain its distinctive architectural and historical character. The Guidelines provide for the continuance of Santa Barbara's Hispanic architectural tradition. This Hispanic architectural tradition has been inspired by buildings designed for similar climatic conditions along the Mediterranean Sea, in Mexico, and in early Southern California. The Historic Landmarks Commission has design review jurisdiction over all buildings/properties in El Pueblo Viejo District.
2. ARCHITECTURAL BOARD OF REVIEW GUIDELINES: These Guidelines were established to assist the ABR in the protection and preservation as nearly as is practicable of the natural charm and beauty of the area in which the City is located. The Guidelines apply to some residential buildings and all commercial buildings outside landmark districts and were created to maintain the City's historical style, qualities and characteristics of its buildings, structures and architectural features associated with and established by its long, illustrious and distinguished past.
3. HALEY-MILPAS DESIGN MANUAL: The purpose of this manual is to assist the people in the Haley-Milpas area in improving the appearance of their property. Goals in this area are to provide a more human-scaled and pedestrian environment; to give more attention to details to provide more interest and feeling; and to encourage mixed use development to accommodate the mix of uses already existing in the area. This area is bounded by U.S. Highway 101, Santa Barbara, Ortega, Salsipuedes and Haley Streets, and the properties facing Milpas Street.
4. AIRPORT DESIGN GUIDELINES: These Guidelines were established to recognize the aviation-oriented architecture in this area and to protect the theme established by the mediterranean style of the airport terminal. The Guidelines apply to all of the property in the airport area.
5. WATERFRONT AREA DESIGN GUIDELINES: These Guidelines establish a general design theme which emphasizes the area's proximity to the ocean and Harbor areas. These Guidelines apply to all property in the area of the Harbor and Pershing Park, as well as properties south of U.S. Highway 101 between Castillo Street on the west and the City limits on the east.
6. UPPER STATE STREET AREA DESIGN GUIDELINES:

The Upper State Street Area is an area generally on both sides of State Street from Constance Avenue to the westerly City limits. It also includes upper De la Vina Street from Constance Avenue to State Street; commercially developed areas along Hope Avenue, Hitchcock Way and La Cumbre Road, and the commercial areas along Calle Real and Pesetas Way. However, should structures with historic components be reviewed by the HLC in the future, these guidelines would apply to projects in the Upper State Street Area. The Upper State Street area is divided into six separate neighborhoods. It is recognized that each of these is different and requires unique architectural solutions. These Guidelines describe the different neighborhoods and provide assistance for development designs to be compatible

with the neighborhoods. In addition, there are special landscaping guidelines for the Upper State Street Area.

~~IV. MEETING CONDUCT AND PROCEDURES (Suspended by Council Resolution No: XX)~~

~~A. COMMITTEE MEMBERSHIP~~

~~The Sign Committee shall be composed of five members and two alternates and shall be appointed as follows:~~

- ~~1. One member and one alternate shall be appointed by the ABR from its membership;~~
- ~~2. One member and one alternate shall be appointed by the HLC from its membership; and,~~
- ~~3. Three members shall be appointed by City Council and shall be representatives of the following:~~
 - ~~a. Owner or operator of a business (retail, commercial) located within the City of Santa Barbara;~~
 - ~~b. Design professional (such as an architect, graphic artist, landscape architect, interior designer or sign maker/designer); and~~
 - ~~c. Local resident who is either a business owner or operator, design professional or has other qualifications and knowledge relating to signing.~~
- ~~4. Members serve a two year term, or until their successors are appointed. However, the members who are also ABR and HLC members shall serve only as long as they are members of said board or commission.~~
- ~~5. Staff to the Sign Committee shall be from the Community Development Department, Planning Division.~~

~~B. ELECTION OF OFFICERS~~

~~As soon as practical, following the first day of January and the first day of July of every year, the Sign Committee shall re-organize by electing one of its members to serve as chairperson. The Committee shall elect a vice-chairperson to preside in the absence of the Committee's chairperson, and to automatically succeed the chairperson at the next election.~~

~~C. GENERAL MEETING PROCEDURES~~

- ~~1. INCOMPLETE APPLICATIONS: The Committee will not review any incomplete applications, as indicated on the first page of the agenda.~~
- ~~2. ROBERT'S RULES OF ORDER: The Committee has adopted Robert's Rules of Order for the formal conduct of meetings. Robert's Rules of Order shall govern the conduct of meetings unless otherwise provided by these procedures. However, the general meeting procedures tend to be less formal. General comments not relating to specific elements of the proposal will be considered out of order and will be ordered to cease by the Chairperson.~~

- ~~3. QUORUM: A quorum shall consist of three members of the Sign Committee and a majority of those present shall decide any and all issues before it. No Final approval shall be given unless at least three members vote on the motion.~~
- ~~4. DISCUSSIONS OUTSIDE OF REGULARLY NOTICED MEETINGS: It shall be a general policy of the Sign Committee that private discussions between applicants and Committee members, or groups of Committee members, do not reflect the consensus of the entire Committee, nor shall it be construed as an interpretation of the Committee's policies. Committee members are encouraged to inform the Sign Committee of such discussions. Such meetings should not be initiated or encouraged by Committee members, unless an ad hoc subcommittee is appointed to cover particular subjects.~~
- ~~5. CHANGES TO AGENDA: The Chairperson conducts the meeting following the agenda format. The Committee may change the order of the agenda by a majority vote for special circumstance.~~
- ~~6. EX AGENDA ITEMS: No action shall be taken at a regular meeting on any item which does not appear on the posted agenda as provided for in the Ralph M. Brown Act. Any motion shall be accompanied by distribution of a written statement, to be included in the record, stating the facts upon which it can be determined that the need to take action arose after the agenda was published and posted. If it is infeasible to present such a written statement of reasons, the secretary shall include in the minutes of the meeting a statement of the reasons for the Committee's determination.~~
- ~~7. CONFLICT OF INTEREST: Members must comply with all Conflict of Interest provisions as required by state laws for disclosing potential conflicts of interest. If the member has any potential conflict of interest for an application that is before the Committee, the member must step down and not participate in either the review or presentation of the application. When a member steps down, the member is not included in a quorum.~~
- ~~8. ATTENDANCE OF COMMITTEE MEMBERS: If a member cannot attend a meeting, the member is asked to contact staff at the earliest possible opportunity prior to the meeting date.~~
- ~~9. ASSISTANCE BY STAFF: Staff shall assist the Committee and the general public through the Sign Committee process. Staff comments shall be stated at the beginning of each review. Staff shall be available to provide information during the discussion.~~

~~D. ORGANIZATION OF AGENDA~~

- ~~1. List Sign Committee members, alternates, staff, meeting place, time and date.~~
- ~~2. Submittal checklist.~~
- ~~3. General Business:~~
 - ~~a. Public Comment~~
 - ~~b. Approval of minutes of the previous Sign Committee meeting.
Reconsideration and rescission of approvals.~~

- ~~e. Announcements, requests by applicants for continuances, postponements and withdrawals, future agenda items and announcement of signs approved at the Conforming Sign Review.~~
- ~~d. Reports from sub-committees~~
- ~~e. Possible Sign violations~~
- ~~4. Sign Application Review~~
 - ~~a. Concept Review~~
 - ~~b. Final Review~~
 - ~~e. Review After Final~~
- ~~5. Discussion Items~~
- ~~6. Ex Agenda Items~~
- ~~7. The meeting will be adjourned by the chairperson after all items have been heard and all items for which the applicant was absent have been acted upon.~~

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RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA ESTABLISHING A RECONSTITUTED
SIGN COMMITTEE AND REPEALING RESOLUTION NOS.
81-053, 90-028, AND 95-083.

WHEREAS, on May 12, 1981, the City Council adopted Resolution No. 81-053 establishing the powers, duties, membership and terms of office of the Sign Committee;

WHEREAS, on March 6, 1990, the City Council amended Resolution No. 81-053 by adopting Resolution No. 90-028 to revise the membership of the Sign Committee to consist of six (6) members: one (1) member and one (1) alternate member appointed by the Architectural Board of Review (ABR) from the members of the ABR; two (2) members and one (1) alternate member appointed by the Historic Landmarks Commission (HLC) from the members of the HLC; and three (3) members and one (1) alternate appointed by the City Council, who shall not be members of the ABR or HLC;

WHEREAS, on June 20, 1995, the City Council adopted Resolution No. 95-083 amending Resolution No. 90-028 to reduce the membership of the Sign Committee to five (5) members: one (1) member and one (1) alternate member appointed by the Architectural Board of Review from the members of the ABR; one (1) member and one (1) alternate member appointed by the Historic Landmarks Commission from the members of the HLC; and three (3) members appointed by the City Council, who shall not be members of the ABR or HLC;

WHEREAS, the Community Development Department is seeking to create administrative efficiencies in the review of sign permit applications;

WHEREAS, members of the current Sign Committee and members of the Architectural Board of Review and the Historic Landmarks Commission have agreed to serve on a reconstituted Sign Committee; and

WHEREAS, these revisions to the Sign Committee composition are intended to be temporary in duration.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

1. Powers and Duties of the Sign Committee

a. As provided in the Sign Ordinance and the adopted Sign Review Guidelines, to review, approve, conditionally approve, or deny sign permit applications.

b. To advise and confer with the Architectural Board of Review and the Historic Landmarks Commission concerning sign design considerations.

c. To keep a public record of all minutes, resolutions, motions, and actions.

d. To conduct periodic surveys of the City to assure compliance with this ordinance and the following:

i. Assure sign compatibility with Historic Landmarks Commission determinations for historic buildings, structures, sites, and environments in El Pueblo Viejo Landmark District.

ii. Assure sign compatibility with Architectural Board of Review policies and guidelines for designs of signs as part of new or remodeled structures.

e. To conduct surveys to determine signs of unique character.

f. To carry out such other responsibilities as may be delegated by the City Council.

2. Membership

The Sign Committee shall consist of four (4) members as follows:

a. Dawn Sherry as a member of the Architectural Board of Review (ABR), with Keith Rivera as an ABR alternate. In the absence of the ABR member, the ABR alternate may serve in the member's place. The ABR member to the Sign Committee and the ABR alternate shall be appointed annually by the ABR at the first ABR meeting in January. If the appointed member or the alternate resigns, or his or her term on the ABR expires, the ABR shall appoint another member of the ABR to this position.

b. Louise Boucher as a member of the Historic Landmarks Commission (HLC), with Alex Pujo as an HLC alternate. In the absence of the HLC member, the HLC alternate may serve in the member's place. The HLC member to the Sign Committee and the HLC alternate shall be appointed annually by the HLC at the first HLC meeting in January. If the appointed member or the alternate resigns, or his or her term on the HLC expires, the HLC shall appoint another member of the HLC to this position.

c. Natalie Cope as a member of the public at large. Upon this member's resignation or the expiration of the member's term on the former sign committee, the City Council may appoint a replacement member who is not a member of the ABR or HLC in accordance with the City Guidelines for Advisory Groups.

d. Bob Cunningham as a member of the public at large. Upon this member's resignation or the expiration of the member's term on the former sign committee, the City Council may appoint a replacement member who is not a member of the ABR or HLC in accordance with the City Guidelines for Advisory Groups.

The assigned members of the reconstituted Sign Committee may serve for the remaining term of their membership on the former Sign Committee. Members may be reappointed for additional terms of office.

3. Repeal of Prior Resolutions

Resolution Numbers 81-053, 90-028, and 95-083 are repealed.

4. Effective Date

This resolution shall become effective upon the adoption of the ordinance relating to the processing of sign permits introduced on November 16, 2010.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 16, 2010

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: *Plan Santa Barbara* General Plan Update

RECOMMENDATION: That Council:

- A. Continue Council discussion and deliberations concerning the Plan Santa Barbara General Plan update; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the 2010 General Plan Update and Making Environmental Findings Pursuant to the California Environmental Quality Act.

DISCUSSION:

On October 26 and 27, 2010, the City Council held a public hearing on the 2010 General Plan Update. Several key issues were discussed, and general agreement on non-residential square foot limits and circulation policies was achieved through straw votes of the City Council. Remaining unresolved issues were continued to the November 16, 2010 Council meeting for additional discussion and possible action.

Proposed Map Changes

At the end of the October 27th meeting, Council created a three-member ad hoc subcommittee, composed of Councilmembers Francisco, Hotchkiss, and Williams to discuss potential changes to the location of the High Density designations on the General Plan Map, and the Rental/Employer Housing Overlay map boundary. On November 3, 2010 the ad hoc subcommittee met to discuss the proposed General Plan map and related densities. The recommended change that resulted from that meeting is illustrated on the attached map. Another subcommittee meeting is scheduled for November 11, 2010, to continue the discussion. See Attachment 1.

Final EIR Addendum

A draft addendum to the certified Final Environmental Impact Report (FEIR) has been prepared to document and to analyze (from an environmental standpoint) the anticipated Council changes to the General Plan Update, which are expected to be within the range of policy options and impacts studied in the EIR. The California Environmental Quality Act (CEQA) Guidelines provide that an addendum need not be circulated for review but is attached to the FEIR. The Council considers the certified FEIR together with the Addendum in making a decision on the project. See Attachment 2.

Draft Resolution for Plan Adoption

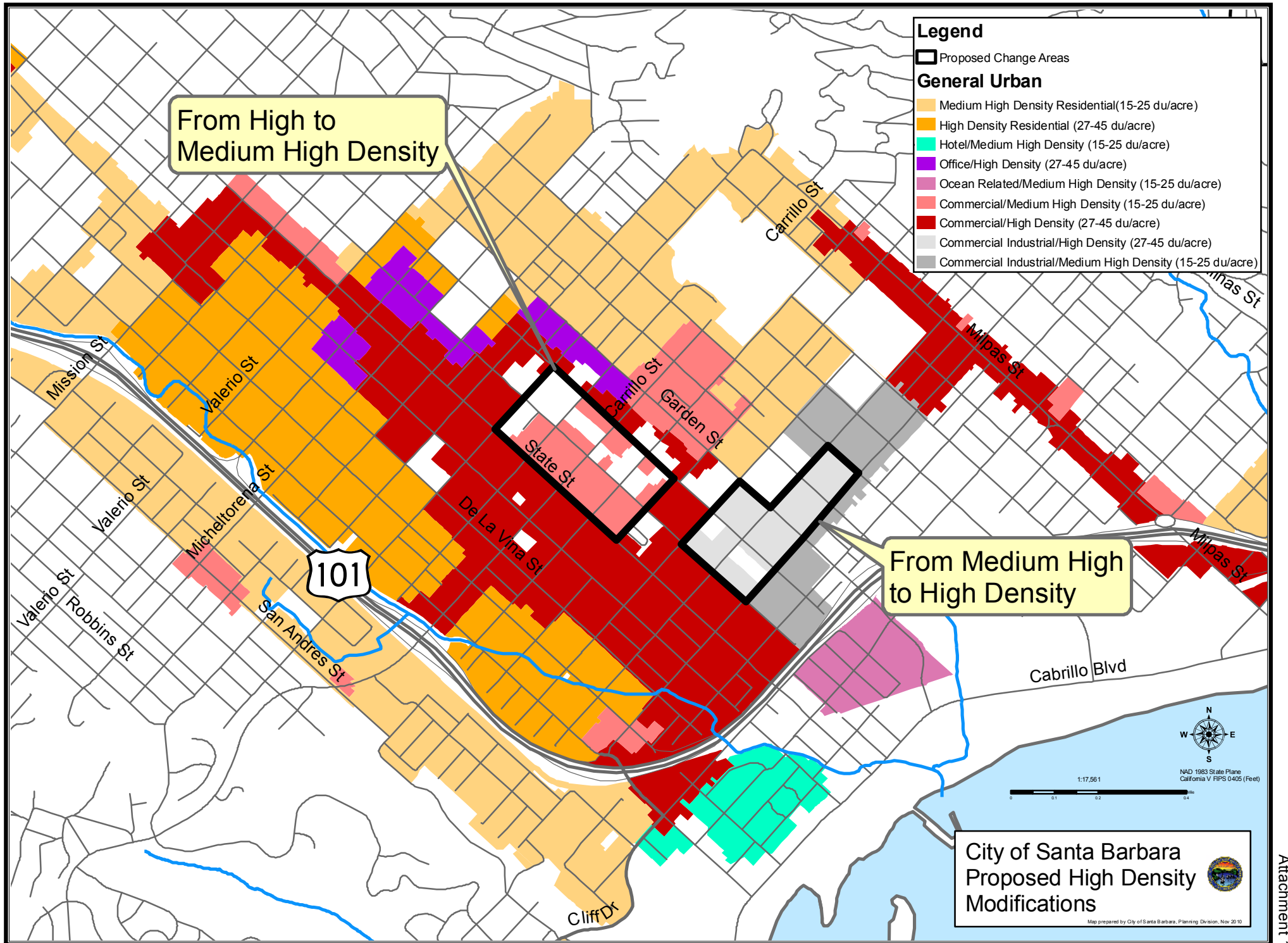
Based on Council direction of October 27, 2010, staff has prepared a draft Resolution for adoption of the final General Plan Update, which reflects policy and format amendments discussed by Council, as well as the required environmental findings per CEQA. If the City Council is prepared to act at the conclusion of Council deliberations, then the Resolution, with final Council refinements to the Plan integrated into it, should be adopted. Under Charter Section 1507, the adoption of this Resolution requires five affirmative Council votes.

ATTACHMENTS: 1. High Density Map
 2. Final EIR Draft Addendum

PREPARED BY: John Ledbetter, Principal Planner

SUBMITTED BY: Paul Casey, Assistant City Administrator/Community
 Development Director

APPROVED BY: City Administrator's Office





D R A F T

ADDENDUM

**TO CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT
FOR THE *PLAN SANTA BARBARA* GENERAL PLAN UPDATE
State Clearinghouse (SCH) #2009011031**

November 10, 2010

This addendum to the Certified Final EIR (FEIR) for the *Plan Santa Barbara* General Plan Update documents final changes to the General Plan Update made by City Council and associated changes to project impacts, which fall within the range of policy options, growth scenarios, and impacts studied in the FEIR, and do not raise new environmental issues.

ADDENDUM PROCEDURES

This FEIR addendum is prepared in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15164 *Addendum to an EIR*, which provides that an addendum to a certified final environmental impact report may be prepared to identify minor changes or additions to the environmental document for the current project description.

The Guidelines provide that an addendum need not be circulated for public review but is attached to the FEIR. The decision-making body considers the addendum together with the Certified FEIR in making a decision on the project.

SUMMARY OF CERTIFIED FEIR FOR THE GENERAL PLAN UPDATE

The FEIR evaluates potential environmental effects from citywide development under draft General Plan Update policies over the twenty-year Plan horizon to the year 2030. A comparative impact analysis was also included in the FEIR to examine a range of alternative growth scenarios and development policy options.

Class 1 Impacts: The FEIR analysis concludes that even with identified mitigation measures, unavoidable significant impacts associated with traffic congestion and increased greenhouse gas generation would occur by 2030 under the project scenario and under all the alternatives studied.

Class 2 Impacts: The FEIR concludes that, with application of identified mitigation measures, potentially significant effects would be reduced to less than significant levels under the project scenario and all alternatives for air quality (highway diesel exhaust), biological resources (native upland, creek/riparian, and coastal habitats and species), geological conditions (coastal bluff retreat), hazardous materials (adequate collection facility capacity), heritage resources (historic resources), hydrology and water quality (sea level rise), noise (highway noise), open space and visual resources (open space), and solid waste management (adequate management facility capacity).

Class 3 Impacts: Other potential impacts were found by the FEIR to be less than significant under the project scenario and under all alternatives, due to already existing City policies and programs together

with updated policies and programs in the Plan. These include other impacts associated with air quality, biological resources, geological conditions, hazards, heritage resources, hydrology and water quality; noise; open space and visual resources; public services; water supply and other public utilities, energy issues, climate change, jobs/housing balance issues; and socioeconomic issues.

The *Plan Santa Barbara* Draft EIR was circulated for public review and comment (March-May 2010), a public comment hearing was held, and written responses to comments provided in the FEIR. The City of Santa Barbara Planning Commission certified the FEIR for the *Plan Santa Barbara* General Plan Update [Resolution 013-010, September 30, 2010].

CURRENT PROJECT DESCRIPTION: FINAL GENERAL PLAN UPDATE (GPU)

The final General Plan Update policies largely reflect the policies analyzed as the “Hybrid Alternative” in the FEIR, which blends policy components from the original Project, the Lower Growth Alternative, and the Additional Housing Alternative, and incorporates most of the EIR Mitigation Measures, with the following additional policy adjustments to the final GPU:

Non-Residential Growth

Policy LG2 would limit net new non-residential growth to 1.35 million square feet over the next twenty years for defined allocation categories of small additions, vacant land, and community benefit projects (the latter including economic development projects). Exclusions from allocation categories would include minor additions, pending and approved projects, government facilities, replacement of previously existing demolished square footage, and annexations, which for purposes of environmental review are together estimated to involve up to 0.5 million additional square feet to the year 2030.

Residential Development

- *General Plan Map – Location of High and Medium Density Designations:* The land use designations on the September 2010 General Plan Map are modified as follows (see Attachment A- Final General Plan Map Adjustments):
 - The eight-block area of Downtown bounded by State, Anapamu, Santa Barbara, and De La Guerra Streets, which contains a substantial number of historic resources, will be designated for Medium Density rather than High Density incentive.
 - The six-block commercial area comprised of the four blocks between Haley and Cota Streets from Anacapa to Olive Streets, and the two blocks between Cota and Ortega Streets from Anacapa to Garden Streets will be designated for High Density incentive rather than Medium Density.

[Placeholders – to add any other Council policy refinements as needed]

- *Average Unit Density Incentives* (GPU p. 60-61, and Policy LG6.1)
 - *Density Ranges: High Density (27-45 dwelling units/acre) and Medium High Density (15-25 du/acre)*
- *Rental and employer-provided housing incentives* (Policies LG5.1, H11.2)
 - *Overlay Map locations:*
 - *Density incentive: (50%)*

CHANGES IN ENVIRONMENTAL CIRCUMSTANCES

There have been no changes in existing citywide environmental conditions or applicable regulations affecting this programmatic impact analysis since preparation of the FEIR for the General Plan Update.

FINAL PROJECT IMPACTS AND MITIGATIONS

Environmental impacts under the final General Plan Update policies would be similar to those identified by the FEIR for the Hybrid Alternative, with minor changes described below in this addendum. No changes from impact classifications identified in the FEIR would result from final GPU policy refinements.

As with the Hybrid Alternative, most of the measures to reduce potentially significant impacts as identified and considered in the FEIR were incorporated into the final General Plan Update policies and programs to address traffic congestion; greenhouse gas generation; highway diesel exhaust; upland, creek/riparian, and coastal habitats and species; coastal bluff retreat; hazardous materials collection facility capacity; historic resources; sea level rise; highway noise; open space; solid waste management facility capacity, and jobs/housing balance. The final GPU does not incorporate FEIR Mitigation Measure Trans-2 for expanded programs for Transportation Demand Management (TDM), alternative travel modes, and parking pricing.

Transportation – Similar to the Hybrid Alternative, the final GPU Circulation Element policies identify the slate of TDM strategies for future consideration but do not specify implementation level or timing, and no traffic mitigation credit is therefore appropriate for purposes of EIR analysis. The level of TDM implementation is the factor that has the most effect on traffic impact levels, and the final GPU policy is the same as the policy evaluated for the Hybrid Alternative.

The final GPU includes a growth limitation policy of 1.35 million additional square feet of non-residential development for specified categories, which is 0.35 million SF more than assumed for the Hybrid Alternative analysis. Because employment generates peak-hour vehicle traffic, traffic congestion impacts would be slightly greater for the final GPU than under the Hybrid Alternative.

The FEIR identifies 13 City intersections as presently considered impacted during peak-hour traffic, and traffic impacts of the original Project are projected at 20 intersections, while the Hybrid project impacts are identified as within the range of 20-26 intersections. The number of impacted intersections under the final GPU would be slightly greater than under the Hybrid Alternative due to the additional non-residential growth potential, but would remain within the range identified for the Hybrid Alternative of 20-26 intersections. The final GPU traffic congestion impact remains significant (Class 1) for those intersections not subject to feasible mitigation with Mitigation Trans-1 for roadway and signal improvements.

Climate Change – The FEIR estimates existing citywide greenhouse gas generation at 1.358 million metric tons/year of carbon dioxide (CO₂) equivalents, the impact of the original Project at 1.574 million metric tons/year, and the Hybrid Alternative at 1.571 million metric tons/year. Final GPU impacts associated with greenhouse gas generation would be slightly greater than under the Hybrid Alternative due to increased transportation fuel consumption and energy use in buildings associated with the greater non-residential growth figure. Citywide greenhouse gas emissions under the final GPU are estimated at approximately 1.571 million metric tons of carbon dioxide (CO₂) equivalents, which is 1% greater than under the Hybrid Alternative. The differences among greenhouse gas emission estimates for the original Project, Hybrid Alternative, and final GPU are well within the margin of error for these calculations. The projected increase in greenhouse gas generation under the final GPU would continue to exceed State objectives for reduction in greenhouse gas generation, and the impact would remain significant (Class 1).

Water Supply – Water demand under the final GPU is estimated to increase by up to 241 acre-feet per year (AFY) for additional non-residential uses and 531 AFY for residential uses, for a total increase of up to 772 AFY by the year 2030. Existing demand of 14,000 AFY (including 10% drought buffer) together

with the 772 AFY increase in demand would result in estimated total future water demand of 14,772 AFY by the year 2030. This increase in water demand would be slightly less than under the original Project scenario (increase of 791 AFY and total future demand of 14,791 AFY), and slightly greater than under the Hybrid Alternative (increase of 726 AFY and total future demand of 14,726). The future demand under the final GPU would remain well within the identified average supply level of 15,358 AFY, leaving an estimated 586 AFY over and above the City's required 10% drought buffer. The impact remains **less than significant (Class 3)**.

Noise – With somewhat greater traffic impacts than the Hybrid Alternative and no application of the robust TDM mitigation, highway-related noise impacts of the final GPU on existing residential uses would be potentially greater than under the original Project, and similar or slightly greater than under the Hybrid Alternative. Mitigation Measure Noise-1 would continue to apply to the final GPU to monitor noise changes and implement measures as needed such as building retrofits, vegetation, and barriers. The final GPU highway noise impact would remain **less than significant with mitigation (Class 2)**.

Historic Resources - The FEIR analysis found impacts of the original Project to be less than significant with incorporation of additional policy protections for historic resources, such as buffer provisions and additional district protections. The Hybrid Alternative assumed incorporation of these additional policy protections and also reduced the area for higher density residential development in the Downtown. The final GPU also incorporates the additional buffer and district policy protections and reduction of areas with higher density incentives. Impacts of the final GPU on historic resources would be similar or slightly less than under the Project or Hybrid Alternatives, and would remain **less than significant (Class 2)**.

Open Space and Visual Resources – With similar policy provisions, potential impacts of the final GPU on gradual loss of open space would be similar to that identified under the Hybrid Alternative, and would remain **less than significant (Class 3)**.

Other Impacts – Other potential impacts of the final GPU would be similar to identified impacts of the Hybrid Alternative, and all would remain less than significant (Class 2 or 3 respectively as identified for individual impacts under the Hybrid analysis). Potential final GPU impacts to air quality, public services, hydrology and water quality, public utilities (wastewater, solid waste, and communications utilities), and energy consumption would be incrementally greater than under the Hybrid alternative due to additional non-residential potential. Final GPU potential impacts to biological resources, geological conditions, and hazards would be similar to those identified for the Hybrid Alternative. Final GPU effects on socioeconomic issues would be incrementally more beneficial than under the Hybrid Alternative due to additional job opportunities associated with non-residential growth. With additional non-residential growth potential, the estimated jobs/housing imbalance would be somewhat worse under the final GPU (1.456 jobs/housing unit) compared to the Hybrid Alternative (1.417 jobs/housing unit), and potential unmet demand for affordable units would be similarly greater.

CEQA FINDING

Based on the above review of the final project and in accordance with State CEQA Guidelines Section 15162 *Subsequent EIRs*, no subsequent Environmental Impact Report is required for the current project, because new information and changes in project description, circumstances, impacts, and mitigations are within the scope of alternative policy options, growth scenarios, and impact levels studied in the Certified FEIR and do not involve new impacts.

This Addendum identifies the final project changes and associated changes to project impacts. The Certified FEIR [SCH ##2009011031] together with this addendum constitutes adequate environmental documentation in compliance with CEQA for the final General Plan Update project.

Date: _____
Barbara R. Shelton, Environmental Analyst

Attachment A: Final General Plan Map Adjustments [*to be added after Council direction*]

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D R A F T

Council Resolution & CEQA Findings for *Plan SB GPU & FEIR*

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA
BARBARA ADOPTING THE 2010 GENERAL PLAN UPDATE
AND MAKING ENVIRONMENTAL FINDINGS PURSUANT TO
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, Government Code Section 65300 requires that the City of Santa Barbara adopt a comprehensive, long-term General Plan for the physical development of the City, and the 2010 City of Santa Barbara General Plan Update fulfills this requirement;

WHEREAS, in 1989, the City Council placed a non-residential growth limitation before City voters as ballot Measure E, which was approved and incorporated into the City Charter as Charter Section 1508, limiting non-residential growth to three million square feet until 2010;

WHEREAS, in 2005, the City Council initiated the *Plan Santa Barbara* process to update the Land Use and Housing elements of the General Plan to specifically address the sunset of Charter Section 1508, which regulates non-residential growth in the City and to reassess the City's capability to construct more than 40,005 housing units as specified by the Housing Element;

WHEREAS, *Plan Santa Barbara* is the planning process used to update the City's General Plan, including the Introductory Framework, Land Use Element and General Plan Map, and Housing Element, as well as incorporation of selected goals, policies and implementation actions into the remaining six elements to be updated in the future, including the Open Space, Parks and Recreation Element, Economy and Fiscal Health Element, Historic Resources Element, Environmental Resources Element, Circulation Element, and Public Services and Safety Element. The updated General Plan elements are reorganized and integrated at a policy level into a cohesive united document;

WHEREAS, *the Plan Santa Barbara* process includes the following four phases: Phase 1) developing baseline information; Phase 2) conducting public outreach and initial policy development; Phase 3) preparing draft General Plan and Environmental Impact Report (EIR) documents, conducting formal public review, Planning Commission certification of the EIR and recommendations to City Council related to the Plan, and City Council adoption of the General Plan Update; and Phase 4) Implementation of the updated General Plan;

WHEREAS, the updated General Plan is intended to guide future residential and non-residential development through the year 2030, and the goals, policies and programs contained in the General Plan Update address the physical, economic and social development of the City and reflect the community's values of "living within our resources," becoming a more sustainable community, and preserving the existing community character;

WHEREAS, the updated General Plan identifies allowable land uses, densities and programs that support and assist the production of a variety of housing types, including needed affordable and workforce housing to meet the City's state mandated Regional Housing Needs Assessment (RHNA) allocation;

WHEREAS, the Housing Element of the updated General Plan complies with California Housing Element law requiring that local jurisdictions update the Housing Element every five years and submit their updated element to the State Department of Housing and Community Development (HCD) for review;

WHEREAS, the public outreach effort for the *Plan Santa Barbara* General Plan Update (GPU) took place between 2007 and 2010, and included 45 City Council and/or Planning Commission public hearings and work sessions, 10 community workshops, 23 Advisory Board meetings, approximately 40 grassroots meetings, an informational brochure mailed to 36,000 City households and businesses, a youth survey administered to eight local high schools, and a website;

WHEREAS, on January 15, 2009, a Notice of Preparation (NOP) was issued by the City noticing the intent to prepare a full-scope Program EIR. The NOP was circulated to interested agencies, groups and individuals for a public comment period of 30 days. The State of California Clearinghouse issued a project number for the *Plan Santa Barbara* General Plan Update, SCH #2009011031;

WHEREAS, on January 29, 2009, the Planning Commission held a duly noticed EIR Scoping Hearing and received public comment from 10 speakers and Planning Commissioners related to the EIR scope of analysis. Thereafter, the Draft EIR scope of analysis was established by the City Environmental Analyst with consideration of the scoping comments;

WHEREAS, the Draft General Plan Update and Draft EIR were released on March 19, 2010 and underwent a 60-day public review and comment period ending on May 18, 2010, and on April 28, 2010, the Planning Commission held a duly noticed public hearing and received public comment from 22 speakers pertaining to the Draft EIR and Draft General Plan Update;

WHEREAS, written comments on the Draft EIR and the Draft General Plan Update were received from 15 public agencies, 16 community/public interest organizations, 45 individuals and six City commission and committee members. Volume III of the Final EIR contains written responses to the comments received on the Draft EIR and updated General Plan. The proposed responses to comments and public hearing notice were provided to public agencies that commented 10 days prior to the Final EIR certification;

WHEREAS, on June 22 and 23, 2010, the City Council and Planning Commission held duly noticed public hearings to discuss the Planning Commission's recommendations on key policies related to the final preparation of the *Plan Santa Barbara* General Plan Update and Draft EIR, and at the conclusion of the meeting Council requested a series of work sessions to provide additional detail on a number of important aspects associated with the General Plan Update, including but not limited to: an overview of the Proposed General Plan, Program EIR, Transportation Demand Management, and various policy directives for residential density, development and design policies, and growth management;

WHEREAS, during July and August, 2010 the City Council held eight work sessions that involved detailed staff briefings related to the General Plan Update policy document, the Program EIR, Transportation Demand Management, Residential Density, Development and Design Policies, and Growth Management and Development Ordinance. On August 10, 2010, the City Council provided summary direction to the Planning Commission and staff on how to proceed with preparation of the final *Plan Santa Barbara* documents for review and final adoption;

WHEREAS, on September 29 and September 30, 2010, the Planning Commission held a duly noticed public hearing to consider certification of the Final EIR. Following a staff presentation, public comment from 18 speakers, and review and discussion of the information contained in the proposed Final EIR and General Plan Update, the Planning Commission unanimously voted to certify the Final

EIR dated September 2010 for the *Plan Santa Barbara* General Plan Update making findings pursuant to State CEQA Guidelines Section 15090 and City CEQA Guidelines Section II.2, and including clarifying additions and edits to the Final EIR as identified in Planning Commission Resolution No. 013-10;

WHEREAS, on September 30, 2010, following the certification of the Final EIR, the Planning Commission received a staff presentation and heard public comment from two additional speakers related to the General Plan Update. The Planning Commission formulated its recommendations regarding the adoption of the *Plan Santa Barbara* General Plan Update which was informed by the information contained in the Final EIR, and voted 6-1 to forward those recommendations (Planning Commission Resolution No. 014-10) to the City Council for consideration;

WHEREAS, on October 26, October 27, and November 16, 2010, the City Council held duly noticed hearings, received staff presentations, and heard public comment from _____ speakers regarding the General Plan Update. After extended deliberations, the City Council made modifications to the General Plan Update as shown in Exhibit A;

WHEREAS, an Addendum to the certified Final EIR dated November 10, 2010 (hereinafter “FEIR Addendum”) was prepared in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15164 provisions, and the Addendum documents final changes to the General Plan Update and associated impacts that fall within the range of policy options, growth scenarios, and impacts studied in the Final EIR and do not raise new environmental issues;

WHEREAS, the Certified Final EIR document includes the following components: Volume I FEIR; Volume II Appendices, Volume III Public Comments and Responses; and FEIR Addendum;

WHEREAS, the *Plan Santa Barbara* General Plan Update policies have evolved over the course of the Plan development, the environmental review process, public input, and deliberations of the City Planning Commission and City Council, all as anticipated and required by proper CEQA and General Plan processing. CEQA analysis of the final General Plan Update was documented with the FEIR Hybrid Alternative analysis together with the FEIR Addendum as the final Project being approved by City Council;

WHEREAS, the City Planner is the custodian of the record of proceedings for the General Plan Update and Final EIR, and the documents and other materials which constitute the record of proceedings for City actions related to the General Plan Update and Final EIR are located at the City of Santa Barbara Community Development Department, Planning Division, located at 630 Garden Street, Santa Barbara, California. Copies of these documents are available for public review during normal business hours upon request at the office of the City of Santa Barbara Community Development Department, Planning Division.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA:

I. California Environmental Quality Act (CEQA) Findings:

The City Council makes the following findings in accordance with the California Environmental Quality Act (CEQA), Public Resources Code (PRC) Section 21000 et seq.; the State CEQA Guidelines, California Code of Regulations (CCR) §§15090, 15091, 15,092, and 15093; and the City Guidelines for Implementation of the California Environmental Quality Act (City CEQA Guidelines), City Council Resolution No. 94-064, §II.2:

A. CEQA Findings for City Council Consideration of Final Environmental Impact Report (FEIR) for the *Plan Santa Barbara* General Plan Update (GPU), pursuant to CCR §15090 and City Guidelines §II.2.k

The FEIR for the *Plan SB* GPU, as certified by the Planning Commission on September 30, 2010, was presented to the City Council together with the Addendum dated November __, 2010, and the City Council has reviewed and considered the information contained in the Certified FEIR and Addendum prior to adopting the *Plan SB* GPU.

B. CEQA Findings of Significant, Unavoidable Environmental Impacts of the *Plan SB* GPU (Class I Impacts), Reduction of Impacts, and Infeasibility of Mitigation Measures and Alternatives, pursuant to PRC Section 21081 and CCR 15091

The City Council makes the following findings identifying and explaining (1) potential Class I significant impacts that may result from growth in the City occurring to the year 2030 under the GPU based on analysis in the FEIR and FEIR Addendum, (2) measures incorporated into the GPU to lessen these impacts, and (3) economic, legal, social, technological and other considerations that make infeasible certain mitigation measures and alternatives identified in the FEIR to reduce these impacts, based on GPU analysis, public comment, and Council deliberations:

1. Transportation Class 1 Significant Impacts. The FEIR impact analysis of future development under the *Plan SB* GPU identified a significant transportation impact associated with peak-hour vehicle traffic congestion, as follows:
 - Projecting future cumulative traffic changes citywide is difficult and based on many assumptions, estimates, and uncertainties. Many factors affecting future cumulative traffic in Santa Barbara are outside of the City's control, including growth in the State and surrounding jurisdictions, State and Federal decisions affecting highway improvements, decisions affecting rail and bus transport, technological changes, and travel decisions by individuals and businesses.
 - The City has undertaken an extensive effort to evaluate the potential contribution to future traffic due to the City General Plan Update policies and associated future growth, including conducting citywide traffic counts, developing a citywide traffic model, and extensive research and analysis to document the effectiveness of traffic management strategies.
 - The FEIR identifies existing peak-hour traffic congestion at 13 intersections with levels of service that exceed the City criterion for defining impacted intersections (77% volume/capacity or greater).
 - The FEIR analysis of the original Project (initial draft *Plan SB* GPU policies) identified potentially significant peak-hour traffic impacts of an increase to 20 impacted intersections by the year 2030, with these impacts potentially being substantially reduced through application of Mitigation Measure Trans-2 Reductions in Traffic Demand (MM T-2) providing a robust expansion of Transportation Demand Management (TDM) programs, parking pricing, and alternative mode improvements for pedestrian, bicycle, and transit travel, but with a residual significant, unavoidable traffic impact.

- The FEIR analysis of the final GPU, as documented by the Hybrid Alternative and FEIR Addendum identifies potentially significant peak-hour traffic effects of 20-26 impacted intersections by the year 2030.
- Feasible changes to the initial project have been incorporated into the final GPU that will act to lessen peak-hour traffic congestion impacts, including the following: (1) reduction of the non-residential growth cap policy from 2.0 million square feet to the year 2030 to 1.35 million square feet for specified category uses with excluded uses estimated by the FEIR at up to an additional 0.5 million square feet; and (2) incorporation of Mitigation Measure Trans-1, Intersection Level of Service and Arterial Congestion (MM T-1), for installation of signal or other improvements at specified intersections, and establishment of an intersection master plan for physical improvements at specified impacted intersections. The FEIR analysis, including Fehr & Peers and Nelson-Nygaard reports, demonstrates that reduction of non-residential growth would reduce the amount of increase in peak-hour trip generation and associated congestion effects, and that the identified roadway and signal improvements would improve levels of service at specified intersections. Based on the FEIR analysis, these measures provide partial mitigation of identified traffic congestion impacts.
- The FEIR found that traffic congestion impacts could be further reduced to a substantial degree through application of MM T-2, but still with residual impacts after mitigation remaining at potentially significant and unavoidable levels (Class 1). The FEIR identifies all the EIR alternatives as resulting in some level of residual Class 1 significant traffic impact.

The City Council finds MM T-2, that would provide a robust expansion of TDM, parking pricing, and alternative mode improvements (and the equivalent policies analyzed under the Additional Housing Alternative) to be infeasible for economic, environmental, social, and other considerations, as follows:

- An up-front commitment to full implementation of MM T-2 measures does not represent the best City policy in the interest of the community and the objectives of the GPU to protect the local economy and community's character, and to live within our resources.
- The revised Circulation Element policies included in the final GPU retain the full slate of traffic-reducing mitigation strategies envisioned by MM T-2 as measures for further consideration, but do not direct up front whether or to what extent they will be implemented. As a result, more information beyond the scope of a program EIR level is needed to consider the effectiveness, design, and application of such traffic management strategies. The Santa Barbara community is also divided on whether these measures are advisable. The revised policies better recognize the uncertainties of the future over a 20-year period, and the importance of having community acceptance of such measures prior to implementation. The revised policies incorporate more flexibility on later determinations of the extent, timing, phasing, and location of TDM implementation, and incorporate more process provisions to ensure the prerequisite support by community stakeholders. The policies rely on the adaptive management component of the GPU which will monitor traffic congestion to assist in determining if and when such measures will be considered.

- The retail economy of Downtown Santa Barbara is in a substantial downturn as evidenced by vacancy rates, sales tax levels, and unemployment rates. Downtown business organizations provided testimony that there would be negative effects to the Downtown merchants from MM T-2 strategies such as on-street parking pricing that could cause Downtown customers to do business, shop, dine, or vacation elsewhere. Any such effects providing a disincentive for visitors to the Downtown could also affect the vitality of the greater downtown cultural life, such as attendance at theaters, concerts, art exhibits, and other cultural events within the Downtown.
- Public testimony was also received expressing concerns that installation of parking meters may not be compatible with the community character of the historical Downtown or the City El Pueblo Viejo district, and that, after the long experience of free street parking in this City, implementation of parking meters would affect quality of life.
- Initial implementation of the MM T-2 programs would require City fiscal resources not currently available. The City is presently undergoing a substantial economic downturn, and it is unclear when recovery will occur or when implementation of the T-2 measures would become fiscally feasible.

Further, if the potential traffic effects identified in the EIR do gradually occur over the 20-year GPU horizon, the City could choose to implement these additional traffic management measures to avoid or reduce congestion impacts. As such, some level of T-2 implementation and mitigation may well occur. Since under CEQA provisions, this does not represent an “enforceable commitment,” full mitigation credit is therefore not appropriate for purposes of the EIR analysis and findings for the GPU. Therefore, based on the analysis in the FEIR and FEIR Addendum, future development under the final *Plan Santa Barbara* General Plan Update is found to result in a potentially significant and unavoidable (Class 1) effect on peak-hour traffic congestion.

2. Climate Change Class 1 Significant Impacts. The FEIR and FEIR Addendum analysis of future development under the *Plan SB* GPU identified a potentially significant climate change impact associated with increased greenhouse gas emissions due to transportation fuel and energy use in buildings, from an estimated existing level of 1.358 million metric tons/year of carbon dioxide (CO₂) equivalents to a level of 1.571 million metric tons per year by the year 2030, a level that is not consistent with State-adopted objectives for greenhouse gas reductions. The FEIR found that projected possible increases in greenhouse gases could be substantially reduced but not eliminated through application of MM T-2, with the residual impact remaining significant and unavoidable (Class 1).

For the reasons described above under Finding B.1, City Council finds MM T-2 for a robust expansion of TDM, parking pricing, and alternative mode improvements (and the equivalent policies analyzed under the Additional Housing Alternative) infeasible for economic, environmental, social, and other considerations. Some level of MM T-2 implementation and mitigation may occur, however future development under the final GPU is found to result in a potentially significant and unavoidable impact on climate change.

C. CEQA Findings of Potentially Significant Environmental Impacts of the *Plan Santa Barbara* General Plan Update that are Reduced to Less Than Significant Impacts with Mitigation (Class 2 Impacts), pursuant to PRC Section 21081 and CCR Section 15091

The City Council makes the following findings identifying and explaining potential significant impacts in the City to the year 2030 under the GPU, which will be avoided or reduced to less than significant levels (Class 2) by measures incorporated into the GPU, based on analysis in the FEIR together with the FEIR Addendum:

1. Air Quality Class 2 Less Than Significant Impact. The FEIR identifies the potential for significant air quality effects associated with higher levels of diesel particulates in vehicle exhaust along Highway 101, which could temporarily affect potential development of future residential uses under the General Plan update on approximately 340 parcels within 250 feet of the highway before planned State regulations are implemented to reduce the effect. Policy language based on FEIR Mitigation Measure AQ-1 Highway 101 Setback has been incorporated into the GPU Environmental Resources Element to establish a temporary limitation to development of most new residential uses within 250 of Highway 101 until State regulations have been implemented to reduce diesel particulate effects, or the City otherwise determines that a project's particulate exposure level is sufficiently reduced. With inclusion of this policy measure in the final GPU, the FEIR and FEIR Addendum conclude that this significant air quality impact will be avoided and the residual impact will be less than significant.
2. Biological Resources Class 2 Less Than Significant Impacts. The FEIR identifies that gradual loss of native upland, creek/riparian, and coastal habitats and species associated with incremental development under the GPU could potentially be significant on a cumulative citywide basis by the year 2030, with existing and proposed General Plan Update policies partially lessening the impact. Policy language reflecting FEIR mitigation measures has been added to the GPU Environmental Resources Element, including Mitigation Measure Bio-1 Upland Habitat and Species Protection (MM B-1), Bio-2 Creeks and Riparian Habitat and Species Protection (MM B-2), Bio-3 Coastal Habitat and Species Projection (MM B-3), and Vis-1 Open Space Protection and Restoration (MM V-1). The FEIR and FEIR Addendum conclude that with these measures included in the final GPU, the significant biological resource impacts will be avoided, and residual impacts will be less than significant.
3. Geological Conditions Class 2 Less Than Significant Impact. The analysis of geological conditions in the FEIR identifies a potentially significant impact from the effect of continuing sea cliff retreat on a small number of structures that could be developed or modified near coastal bluffs over the next 20 years under the GPU. FEIR Mitigation Measure Geo-1 Coastal Bluff Retreat (MM G-1) providing for update of bluff retreat review guidelines and establishment of a shoreline management plan has been incorporated into the GPU Public Services and Safety Element policies. With inclusion of these measures in the final GPU, the FEIR and FEIR Addendum conclude that the significant sea cliff retreat impact will be avoided and the residual impact will be less than significant.

4. Hazardous Materials Class 2 Less Than Significant Impact. The FEIR analysis of hazardous materials issues identifies a potentially significant impact of inadequate community hazardous waste collection facility capacity for the next twenty years. FEIR Mitigation Measure Haz-1 Household Hazardous Waste Disposal Capacity (MM Hz-1), providing for City coordination with regional jurisdictions to establish additional facility capacity on the South Coast, has been included in the final GPU Public Services and Safety Element. The FEIR and FEIR Addendum conclude that inclusion of this measure in the final GPU will result in avoidance of the significant hazardous materials facility impact and a residual impact at a less than significant level.
5. Heritage Resources Class 2 Less Than Significant Impact. The analysis in the FEIR identifies a potentially significant impact to historic resources from gradual development over the next two decades under GPU land use policies. The GPU Historic Resources Element policies have been changed to include additional measures to protect historic resources, as identified in FEIR Mitigation Measures Her-1 Protection of Historic Buildings, Structures, and Districts (MM HR-1), including additional protections during construction adjacent to designated historic structures, and additional landmark and historic district programs, and additional development design requirements within buffer areas around designated resources and districts. The FEIR and FEIR analysis concludes that with inclusion of these policy measures in the final GPU, the significant impact on historic resources will be avoided and the residual impact will be less than significant.
6. Hydrology and Water Quality Class 2 Less Than Significant Impact. The FEIR extended range analysis identifies a potentially significant impact of increased flood hazards from sea level rise due to climate change. FEIR Mitigation Measure Hydro-1 Sea Level Rise (MM Hy-1) has been included in the final GPU Environmental Resources Element to provide for adaptive management for this potential effect as part of a shoreline management component of a climate action plan, and as a part of the groundwater management planning component of the Long Term Water Supply Plan. The FEIR and FEIR Addendum conclude that incorporation of these measures in the final GPU will avoid the significant long-range flooding impact, and the residual impact will be at a less than significant level.
7. Noise Class 2 Less Than Significant Impact. The analysis of noise impacts in the FEIR identified a potentially significant impact from a gradual expansion of the 60 and 65 dBA ldn highway noise contours affecting existing residential areas, due to gradually increasing highway traffic levels. With application of FEIR Mitigation Measures T-2 for robust TDM to reduce traffic increases and Noise-1 Roadway Noise (MM N-1) to monitor freeway noise level changes and implement strategic localized noise attenuation measures such as barriers and structure retrofits as needed, the FEIR and FEIR Addendum conclude that this significant noise effect would be avoided and the residual noise effect would be less than significant (Class 2).

The N-1 measure for monitoring and mitigation has been incorporated into the GPU Public Services and Safety Element. However, for the reasons cited above under Finding B.1, City Council finds Mitigation Measure T-2 for a robust TDM expansion (and the equivalent policies analyzed under the Additional Housing Alternative)

infeasible for economic, environmental, social, and other considerations, and an alternate policy has been included in the final GPU without the assured implementation commitment, which could result in somewhat greater traffic levels. Nevertheless, the N-1 mitigation would provide for monitoring of associated highway noise levels and mitigation as necessary, such that the potentially significant noise effect would be avoided and the residual noise effect would be less than significant (Class 2).

8. Open Space/ Visual Resources Class 2 Less Than Significant Impact. The FEIR identifies a potentially significant impact from gradual loss or fragmentation of important open space in the City and region as a result of incremental development citywide over the next two decades. The final GPU Open Space, Parks, and Recreation Element and Environmental Resources Element policies have incorporated FEIR Mitigation Measures Vis-1 Open Space Protection and Restoration (MM V-1) and Vis-2 Preservation of Regional Open Space (MM V-2) providing for planning and development policies to protect key contiguous open space in the City and region. With these measures incorporated into the final GPU, together with the biological resource mitigation measures for protection of habitats and creeks, the FEIR and FEIR Addendum conclude that these significant open space effects would be avoided and the residual impact would be less than significant.
9. Public Utilities/ Solid Waste Management Class 2 Less Than Significant Impact. The analysis of public utilities in the FEIR identifies a potentially significant impact of inadequate long-term facility capacity for solid waste disposal. FEIR Mitigation Measure PU-1 Solid Waste Management has been included in the final GPU Public Service and Safety Element to provide for continuation of City coordination with the County and other South Coast jurisdictions to establish additional long-term waste management facility capacity, and to provide for further City efforts toward increased diversion of solid waste from landfill disposal. The FEIR and FEIR Addendum conclude that with incorporation of these measures into the final GPU, the significant solid waste management impact will be avoided and the residual impact will be less than significant.

D. Findings of Less Than Significant (Class 3) Impacts of the Plan Santa Barbara General Plan Update.

The City Council makes the following finding identifying and explaining potential impacts in the City to the year 2030 under the GPU that will be less than significant (Class 3) due to existing City policies and programs and new policies and programs in the GPU, based on the FEIR and FEIR Addendum analysis:

Based on careful analysis of existing environmental conditions, extensive existing City policies and programs, and new General Plan Update policies addressing growth and the environment, the FEIR concluded that other impacts of the GPU and associated growth would be less than significant (Class 3), including those pertaining to air quality (County Clean Air Plan consistency, construction emissions, residential uses within commercial/mixed use areas), biological resources (creek water quality, coastal resources, and urban trees), geological conditions (seismic, geologic and soil hazards), hazards (accident risks, electromagnetic fields, hazardous materials, wildfire hazards), heritage resources

(archaeological and paleontological resources), hydrology and water quality (flooding, storm water run-off, creek, groundwater, coastal, and marine water quality), noise (airport, noise guideline change, mixed use noise issues), open space and visual resources (important scenic views, community character, lighting), public services (police, fire protection, parks and recreation, schools), water supply and other public utilities (wastewater, solid waste, power and communications), energy, jobs/housing balance, and socioeconomic effects.

E. CEQA Findings of Infeasibility of Alternatives pursuant to PRC Section 21081 and CCR Section 15091

As a programmatic analysis of a citywide general plan update for a twenty-year planning period, the FEIR provides an comparative impact analysis for a range of growth scenarios and policy options under community consideration, and concludes that some of the alternatives could potentially lessen some environmental impacts. The City Council finds that specific economic, legal, social, technological and other considerations make the alternatives identified in the FEIR infeasible, based on the FEIR and FEIR Addendum analysis, public comment, and Council deliberations, as follows:

1. No Project/ Existing Policies Alternative. The FEIR evaluates the comparative environmental impacts that would result if the *Plan Santa Barbara* GPU policy amendments did not proceed and existing General Plan policies continued into the future, with associated growth assumptions of up to 2.2 million net square feet of non-residential development and up to 2,800 additional housing units by the year 2030, and with existing land use policies and no change to TDM and parking programs. The FEIR analysis identifies the overall greatest impacts associated with the No Project/Existing Policies Alternative among all the alternatives analyzed, most notably with greater traffic impacts (from existing 13 to 26 impacted intersections), greater greenhouse gas impacts (1.62 million tons/year) and a worse jobs/housing balance (2.04 jobs/unit). The FEIR finds that impacts of the No Project/Existing Policies Alternative on local resources, hazards, services, and regional issues are similar in type and potentially greatest in extent, but could be mitigated.

The City Council finds that the No Project/Existing Policies Alternative is infeasible because it would not feasibly reduce impacts compared to the final GPU, and would not meet plan objectives as well as the final GPU.

2. Lower Growth Alternative. The Lower Growth Alternative evaluated in the FEIR assumes a policy set involving more growth limitations, with the intent to further protect and conserve community character, historic and visual resources, neighborhoods, natural resources, and facilities and services, with growth assumptions of up to one million net square feet of non-residential growth and 2,000 housing units to the year 2030, and with key policies including stronger building height and design standards, retention of current density provisions with reduced unit size provisions, and retention or increase of parking standards and no expansion of parking pricing programs.

The FEIR analysis finds that potential Class 1 traffic impacts (prior to mitigation) of the Lower Growth Alternative (18 impacted intersections) would be less than for the *PlanSB* project or for the final GPU, with lower Class 1 greenhouse gas generation (1.58 tons/year), and improved jobs/housing balance (0.90 jobs/unit). The FEIR

analysis identifies that other potentially significant impacts to local resources, hazards, services, and regional issues, would be similar in type and generally less in extent than for the *Plan SB* Project and Hybrid Alternative, and would also be mitigable to the same less than significant residual levels as the final GPU.

Many of the policy components contemplated in the Lower Growth Alternative policy set have been incorporated into the final GPU and evaluated as part of the FEIR Hybrid Alternative and FEIR Addendum assumptions, including stronger building height constraints and building design guidelines and more constrained areas for density incentives, to further protect historic and visual resources and community character and neighborhoods, as well as no reductions to parking requirements. As a result of these policy changes, impacts of the final GPU would be lower and similar to the Lower Growth Alternative with respect to historic and visual resources and community character and neighborhoods.

The final GPU has been changed to incorporate a lower non-residential growth cap policy which partially addresses traffic, greenhouse gas, and jobs/housing issues, but has not reduced it to the lower 1.0 million total non-residential limitation policy assumed for the Lower Growth Alternative.

Although the FEIR and FEIR Addendum analysis finds that the traffic and climate change impacts of the Lower Growth Alternative would be lower than for the final GPU, City Council finds that the specific non-residential and residential growth constraint policies of the Lower Growth Alternative make the alternative infeasible for economic, social, legal, and other considerations, as follows:

- The non-residential growth limitation policy of the Lower Growth Alternative for one million net square feet would not be economically feasible or advisable as the final GPU policy because, based on the cumulative square footage of non-residential pending and approved projects and square footage demolished but not rebuilt, as well as historic rates for minor and small additions throughout the City, a total non-residential growth limitation of one million square feet over twenty years would be too constraining to the ability of property owners and businesses to provide for some physical growth when needed to sustain economic vitality, and would therefore not meet the Plan objectives for promoting a strong, vibrant, and diverse economy, adequate stable long-term revenue base for essential services, and local jobs and employees.
 - The Lower Growth Alternative policy for limiting residential growth to 2,000 units over twenty years is not feasible for social, legal, and other considerations because (1) it would be inconsistent with the historic City policy not to limit residential growth; (2) there could be legal constraints with the ability to assure property rights to develop a reasonable use of the property; and (3) it would be inconsistent with Plan objectives as well as regional and State agency objectives to support and promote appropriate affordable work force housing to address issues of housing affordability, economic vitality, population diversity, and jobs/housing balance.
3. Additional Housing Alternative. Under the Additional Housing Alternative, the FEIR evaluates policies intended to further promote affordable housing toward addressing traffic congestion, jobs/housing imbalance, economic vitality, population diversity, and energy/climate change issues, with growth policies for up to one million net

square feet of non-residential development and up to 4,300 additional housing units to the year 2030, and with key policies for greater density/ unit size incentives, retaining current building height limits, a strong expansion of transportation demand management (TDM) and parking pricing programs; relaxing second unit standards, reducing residential parking requirements, and streamlining housing permit processes.

The FEIR analysis identifies the lowest Class 1 traffic impact for the Additional Housing Alternative (from existing 13 to 14 impacted intersections), which results from the low non-residential growth limit together with strong TDM and parking pricing programs, and also identifies lower Class 1 greenhouse gas generation (1.4 tons/year), as well as substantially better jobs/housing balance (0.41 jobs/unit). Other potentially significant impacts associated with local resources, hazards, and facilities and services would be similar in type, and potentially greater in extent due to the substantial additional housing development, but also mitigable to the same less than significant residual levels as the final GPU.

The final GPU has been changed to incorporate a lower non-residential growth limitation to partially address traffic, greenhouse gas, and jobs/housing balance, but not to the lower level assumed in the Additional Housing Alternative.

While the FEIR and FEIR Addendum analysis finds the Additional Housing Alternative to result in lower traffic impacts than the final GPU, City Council finds that the specific non-residential growth constraint, robust TDM and parking policies, and stronger housing incentive policies of the Additional Housing Alternative make the alternative infeasible for economic, social, legal, and other considerations, as follows:

- The non-residential growth limitation policy for one million net square feet under the Additional Housing Alternative would not be economically feasible or advisable as the GPU policy for the reasons specified under Finding F.2 for the Lower Growth Alternative.
 - The Additional Housing Alternative policy for providing a robust expansion of TDM, parking pricing, and alternative mode improvements (and equivalent T-2 mitigation measure) are infeasible for economic, environmental, social, and other considerations for the reasons specified above under Finding B.1.
 - Policies under the Additional Housing Alternative to maintain or raise building height limitations, and further increase the density range and extent of areas for higher density residential incentives would not adequately meet the GPU objectives for protecting historic resources and maintaining the City's visual character.
4. Original Plan SB GPU Project. The original *Plan Santa Barbara* General Plan Update project evaluated in the FEIR is based on the initial draft GPU policies (*Policy Preferences Report*, 2009), and includes a non-residential growth limitation policy allowing up to two million net square feet of non-residential development, assumption of up to 2,800 additional housing units, and policies for a moderate expansion of programs for TDM, parking pricing, and alternative mode improvements, and moderate density/unit size incentive programs to promote affordable workforce housing.

The FEIR analysis for the *PlanSB* GPU Project identifies the potential Class 1 significant impact (pre-mitigation) on traffic congestion to be 20 impacted intersections, with 2-3 intersections mitigable with MM T-1 for roadway/signal improvements, and substantial additional impact reduction from application of MM T-2 for robust expansion of programs for TDM, parking pricing, and alternative mode improvements, resulting in a lower residual Class 1 impact (post-mitigation) with many fewer impacted intersections. The FEIR analysis identifies greenhouse gas emissions at 1.62 tons/year and jobs/housing balance in approximate balance (1.44 jobs/unit). Other potentially significant impacts of the original *PlanSB* GPU Project associated with local resources, hazards, and facilities and services would be similar in type and extent with the final GPU, and also mitigable to less than significant levels.

The FEIR analysis identifies greater traffic impacts for the final GPU than would occur under the earlier *Plan SB* GPU project because the T-2 TDM mitigation would not be applied. City Council finds an upfront commitment to a robust expansion of TDM, parking pricing, and alternative mode improvements to be infeasible for economic, environmental, social, and other considerations for the reasons specified above under Finding B.1. City Council also finds the non-residential growth limitation of the original project to be too high. As a result, City Council finds that the original *Plan SB* GPU project is infeasible and would not meet the Plan objectives as well as the final GPU.

5. Hybrid Alternative – The Hybrid Alternative evaluated in the FEIR incorporated policy components from the original GPU project, Lower Growth Alternative, and Additional Housing Alternative, and reflected changes to GPU policies based in part on initial City Council discussions and in part on City Planning Commission recommendations. This alternative assumes a non-residential growth limitation policy of up to one million net additional square feet, 2,800 additional dwelling units, higher density incentive provisions than the original *Plan SB* GPU but applied to more limited areas of the City, an additional 50% density incentive for rental and employer-provided housing, and a policy identifying a slate of TDM and other traffic-reducing strategies for consideration only rather than the moderate expansion of these programs identified in the original *Plan SB* GPU.

The FEIR and FEIR Addendum analysis finds that traffic, greenhouse gas, and jobs/housing impacts of the Hybrid Alternative would be somewhat greater than the original *Plan SB* project and slightly less than the final GPU project.

Most of the Hybrid Alternative policies have been incorporated into the final GPU with the exception of an adjustment to the non-residential policy to 1.35 million square feet, and adjustment to the General Plan Map to further reduce the area extent for higher density incentive designations.

The City Council finds the Hybrid Alternative to be infeasible for the following economic, social, and other considerations as follows:

- The non-residential growth limitation policy for one million net square feet under the Hybrid Alternative would not be economically feasible or advisable as the GPU policy for the reasons specified under Finding F.2 for the Lower Growth Alternative.

- The Hybrid Alternative density incentive policies with greater extent of areas for higher density residential than the final GPU would not adequately meet the GPU objectives for protecting historic resources and maintaining the City's visual character

F. CEQA Statement of Overriding Considerations pursuant to PRC Section 21081 and CCR Section 15093

Based on the Final Program EIR for the *Plan Santa Barbara* General Plan Update together with the FEIR Addendum, the City Council identifies potentially significant and unavoidable impacts associated with traffic and greenhouse gas generation, as identified in finding I.B above.

The California Environmental Quality Act (CEQA) requires decision-making agencies to balance the economic, legal, social, technological, and other benefits of a proposed plan, including region-wide and statewide environmental benefits, against its unavoidable environmental effects when determining whether and how to approve the plan. If the specific economic, legal, social, technological, or other benefits outweigh the unavoidable adverse environmental effects, then the adverse environmental effects may be deemed acceptable.

In accordance with Section 21081 of the California Environmental Quality Act and Section 15093 of the State CEQA Guidelines, after careful consideration of the environmental documents, staff reports, public testimony, Planning Commission recommendations, and other evidence contained in the administrative record, the City Council makes the following Statement of Overriding Considerations setting forth the specific overriding economic, legal, social, technological, environmental, and other benefits of the proposed General Plan Update that warrant approval of the Plan notwithstanding that all identified environmental impacts are not fully mitigated to insignificant levels. The remaining significant effects on the environment are deemed acceptable due to these findings:

1. Recognizing that there are trade-offs among various plan objectives, and differences of opinion within the Santa Barbara community as to the best balance of policies, and based on careful consideration of community input and Plan analysis, the City Council finds that the final General Plan Update (GPU) policies provide the best long-term balance of policies for meeting the plan objectives to accomplish the following:
 - Promote a strong economy and a stable long-term revenue base necessary for essential services and community enhancements, through land use policies that support business and employee needs, job opportunities, a variety of business sizes and types, educational opportunities, local businesses, and green businesses, and tourism.
 - Protect and enhance the historic and visual resources of the City and the character of established neighborhoods and the City's Central Business District.
 - Live within our resources by balancing the amount, location, and type of development with available resources including water, energy, transportation, housing, and food.
 - Extend and update growth management programs to effectively manage resources and protect community character while permitting high-priority beneficial development.

- Support sustainable, pedestrian-scale in-fill development oriented to multiple transportation modes.
 - Increase the sustainability of City neighborhoods by promoting a sense of place with a focal community center and improved connectivity and access to daily necessities including limited commercial activity, transit, community services, and open spaces for gathering and recreation.
 - Improve the balance between the number of jobs and the number of local housing opportunities, support local jobs and employees, and support economic and social diversity through land use policies that support housing affordability.
 - Promote reductions in energy consumption, use of fossil fuels, and the City's contribution to global climate change through energy and green building policies, and creative land use patterns and transportation planning.
 - Protect and wisely use natural resources, minimize environmental hazards, and provide for present and future environmental, health, and service needs.
 - Maintain the unique character and quality of life of Santa Barbara as a desirable place to live, work, and visit, through policies supporting sustainable, well-designed development, social and economic diversity, and a healthy environment.
 - Strategically place new housing within or near commercial districts and adjoining neighborhoods for ease of access.
 - Improve the jobs-housing balance by improving the affordability of housing for all economic levels in the community.
 - Decrease reliance on the automobile and encourage active lifestyles through policies and improvements designed and intended to increase the safety, convenience, and integration of multiple transportation modes.
 - Provide adequate services and facilities for existing and future residents, and address the long-term effects of climate change on public services and facilities.
2. The GPU will allow for sufficient growth to continue economic benefits, while not unnecessarily exacerbating the jobs/housing imbalance and associated traffic effects.
 3. The GPU maintains community character with less density around City historic resources, which will also benefit the tourist economy. The GPU provides additional tools for preservation of the City's historic resources, including the new Historic Resources Element.
 4. The GPU Adaptive Management component is designed to allow for policy adjustments over time based on clear objectives and regular monitoring.
 5. The GPU provides for an emphasis on "community benefit" projects, including affordable housing.
 6. The GPU policies lower non-residential growth cap and provision of unit size/density incentives for affordable workforce housing benefit the South Coast region with respect to improvement of the jobs/housing imbalance and managing traffic and greenhouse gas generation.

7. The GPU maintains and increases opportunities and choice of travel modes, to benefit management of peak-hour vehicle traffic congestion.
8. The GPU promotes public health through policies such as Sustainable Neighborhood Plans, location of mixed-use are housing, and support for alternative travel mode improvements for walking and biking.
9. The GPU maintains and enhances the City's role in regional partnerships with other governmental agencies and community groups.
10. The GPU supports neighborhood grassroots planning and establishes a sustainability framework for the General Plan.

G. Findings for the Fish & Game Code pursuant to PRC Section 21089 (b) and Fish & Game Code Section 711.4

An Environmental Impact Report has been prepared by the City of Santa Barbara, which has evaluated the potential for the *Plan Santa Barbara* General Plan Update to result in adverse impacts on wildlife resources. For this purpose, wildlife is defined as "all wild animals, birds, plants, fish, amphibians, and related ecological communities, including habitat upon which the wildlife depends for its continued viability." The General Plan Update has the potential to result in adverse effects on upland, creek/riparian, and coastal habitats and associated species. Mitigation measures have been incorporated into the Plan such that potential impacts will be less than significant. The General Plan Update project does not qualify for a waiver and is subject to payment of the California Department of Fish and Game fee.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA:

II. Adoption of 2010 General Plan Update

The City Council of the City of Santa Barbara adopts the final 2010 *Plan Santa Barbara* General Plan Update, including the changes identified in Exhibit A, making the following findings:

A. Charter Finding

The goals and policies of the General Plan Update meet the intent of Charter Section 1507, "living within our resource limits". Policies included in the Update are designed to protect and preserve physical and natural resources, as well as to manage residential and commercial development so as not to exceed public services or resource capacities.

B. General Plan Findings

The General Plan Update has been prepared in accordance with Chapter 3, Articles 5 and 6 of the State of California Government Code. In compliance with Government Code Section 65300 et seq., the updated General Plan is a comprehensive, long-term plan for the physical development of the City. The Land Use Element designates the general distribution, location, and extent of the uses of land for residential, commercial, industrial, institutional, and open space as required by Section 65302(a) of the Government Code. The updated Housing

Element continues the City's commitment to provide affordable housing opportunities for all segments of the community and has been prepared in accordance with State law commencing with Government Code Section 65580. The General Plan and its elements are intended to function as integrated, internally consistent and compatible statements of goals, policies and implementation actions pursuant to Section 65300.5 of the Government Code.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA:

III. Adoption of Mitigation Monitoring and Reporting Program for the General Plan Update pursuant to PCR Section 21081.6 and CCR Section 15097

Mitigation measures have been imposed and made enforceable by incorporation into the approved General Plan Update. The City Council hereby adopts the mitigation monitoring and reporting program (MMRP) for the adopted General Plan Update, provided in FEIR Volume I Section 23.

Draft Exhibit A
City Council Changes to the General Plan Update
(Includes PC Recommended Text Changes)
November 16, 2010

1. Add the following paragraph per Council direction to Introduction page 28 to explain the intent of goal, policies and possible implementation actions that could be considered. Further explanation of how the elements are organized in the General Plan is included on pages 27 to 29 of the proposed General Plan document. In addition, each element includes an introduction page that explains the *Content of this Element*.

Plan Elements, ~~and the Required Seven~~ Goals, Policies and Implementation

The 2010 General Plan is comprised of eight reorganized elements, including the seven mandatory elements included therein. Optional elements include Historic Resources, Environmental Resources, and Economy and Fiscal Health. Each of the elements contains a set of goals, policies and possible implementation actions to be considered.

The **goals** provide the general direction and desired outcome for each chapter within each respective element. The State of California General Plan Guidelines defines a goal as, “a direction setter. It is an ideal future end, condition, or state related to the public health, safety or general welfare toward which planning and planning implementation measures are directed. A goal is a general expression of community values and, therefore, is abstract in nature. A goal is generally not quantifiable, time-dependant or suggestive of specific actions for its achievement.”

A **policy** is the method to achieve the goals, and typically there are numerous policies under each goal. The General Plan Guidelines defines a policy as, “a specific statement that guides decision-making. It indicates a clear commitment of the local legislative body.”

Implementation strategies are specific methods to achieve the vision of a more sustainable community and provide **examples** of programs and actions that the City **may** take to achieve the goal and policy. The General Plan Guidelines define an implementation strategy as “a rule of measure establishing a level of quantity that must be complied with or satisfied. Implementation strategies further define the abstract terms of goals and policies.” To underscore that these are examples of what may be undertaken by the City, the subheading “**Possible Implementation Actions to be Considered**” is used throughout the document.

2. Incorporate a revised “Culture” discussion similar to the existing Land Use Element (pg. 10) “Culture” into the proposed General Plan City Profile Section (begins on pg. 44).
3. Amend the General Plan document and associated maps throughout different land use designations and locations for Medium High and High Density (from what was presented on October 26/27, 2010) are adopted by City Council:
4. Amend Growth Management, Non-Residential, Pg. 67 section to reflect 1.35 million net new square feet as the next increment of growth with pending, approved, and government buildings excluded from the 1.35 million net new square feet (see recommended policy edits below).
5. Incorporate the following FEIR Recommended Measures outlined in Exhibit H of the September 29 & 30, 2010 Planning Commission Staff Report, as amended by the City Council on October 26,

2010 into the appropriate General Plan elements. Each of these Recommended Measures should begin with “The City should consider...”

Recommended Measures from FEIR	General Plan Update Policy
BIO-1: Upland Habitat and Species Protection	ER 12.3: Oak Woodland Protection
BIO-2: Creeks, Wetland, and Riparian Habitat and Species Protection	ER13.3: Native Species Habitat Planning
BIO-3: Coastal Habitats and Species Protection (Amend RM BIO-3.a., Native Habitat Restoration as follows: remove “enlarge” and replace with “improve”)	ER13.2: Multi-Use Plan for Coast ER13.4: Coastal Bluff Scrub Protection
GEO-1: Sea Level Rise and Coastal Bluff Retreat	PS9.3: Modify the Local Coastal Plan
HAZ-1: Accident Risks	PS8: Hazards Avoidance Policies
HAZ-2: Hazardous Materials	PS8: Hazards Avoidance Policies
HAZ-3: Wildfire Hazards	PS14: Wildfire Hazards
HYDRO-1: Flood Hazards	ER18.1: Creek Setback Standards
HYDRO-2: Improve Water Quality at Area Beaches	ER16.4: Pharmaceutical Waste Education and Collection ER16.5: Beach Water Quality Improvement ER16.6: Watershed Action Plans
HYDRO-3: Minimize Debris and Trash	ER16.7: Minimize Debris and Trash
NOISE-1: Nuisance Noise	PS10.3: Neighborhood Noise Reduction
CLIMATE-1: Carbon Sequestration	ER1.3: Urban Heat Island Effect
POP-1: Improved Jobs/Housing Balance (1.b. Job Creation)	Add to Economy and Fiscal Element, following EF20
POP-1: Improved Jobs/Housing Balance (1.c. Locations of Affordable Housing)	H22.10: Location of Affordable Housing
SOCIO-1: Interior Noise Reduction Home Improvement Program	PS11: Sound Barriers
VIS-2: Community Character	LG13: Community Character

LAND USE ELEMENT (pg. 91)

- Amend Policy LG2 and Implementation Action LG2.1 as directed by Council to increase the 1 million non-residential square feet to 1.35 million net new non residential square feet and specify the revised amount of non-residential square footage allocated to the Small Additions, Vacant and Community Benefit categories.

Limit Non-Residential Growth. Establish the net new non-residential square-foot limitations through the year 2030 at [1.35](#) million square feet, and assess the need for increases in non-

residential square footage based on availability of resources, and on economic and community need through a comprehensive Adaptive Management Program.

The 1.35 million square feet of non-residential development potential shall be allocated to the three following categories.

<u>Category</u>	<u>Square Footage</u>
<u>Small Additions</u>	<u>400,000</u>
<u>Vacant</u>	<u>350,000</u>
<u>Community Benefit</u>	<u>600,000</u>

Non-residential square footage associated with Minor Additions, demolition and replacement of existing square-footage on-site, projects that are pending and approved as of time of ordinance adoption, government buildings, and ~~sSphere of influence area~~ annexations are considered separately and in addition to the net new non-residential development established above.

Existing permitted square footage not in the City, but in the sphere of influence, that is part of an annexation shall not count as new square footage necessitating a growth management allocation. However, Once annexed, all development or developable parcels that propose net new square footage are subject to the limitations of the eCity's growth management ordinance. (LG2)

Possible Implementation Actions to be Considered

Amount of Non-Residential Growth. Provided it is demonstrated that it can be supported by available resources capacities, amend the City's Development Plan Ordinance (SBMC Section 28.87.300) to limit net new non-residential growth to 1.35 million square feet. Amend the non-residential development categories and allocation amounts to reflect this new development potential and definitions for each category. **(LG2.1)**

7. Amend the text of the Rental and Employer Housing Overlay Implementation Action to delete reference to 3 or more bedroom units. The focus of this implementation action is the overlay map. Policy direction for three or more bedrooms units that could be slightly larger is provided in Housing Element Implementation Action H11.10. Delete text defining areas because Rental and Employer Housing Overlay Map that is ultimately adopted by Council will reflect the areas where allowed.

Rental and Employer Housing Overlay. Encourage the construction of rental and employer housing, ~~including three+ bedroom units,~~ in the multiple family and commercial zones where residential use is allowed by providing increased density of overlays up to 50 percent ~~(over the Average Unit Density Incentive Program)~~ as shown on the Rental/Employer Housing Overlay Map (Figure _). **(LG)**

~~This incentive would not apply to market rental or employer housing in the area with the Commercial Industrial Land Use Designation and C-M zoning or the Coast Village Road area.~~

8. Amend Policy LG7 to read:

Community Benefit Non-Residential Land Uses. ~~Net new non-residential square footage that includes one or more Community Benefit Land Uses shall be of a secondary priority to affordable housing.~~ Community Benefit Land Uses are determined by City Council and shall include ~~one or more Community Benefit Land Uses~~ the following categories:

Community Priority.
Economic Development.

“Green” Economic Development.
Small and Local Business.
Development of Special Needs.

9. Amend Implementation Action LG8.2 to read:

Limit Residential. Better define residential uses in the C-M Zone to both encourage affordable housing and to protect existing manufacturing and industrial uses.

10. Amend Implementation Action LG13.4 to read:

Building Height. Amend zoning standards to include special findings and super majority approval by the Planning Commission ~~and City Council~~ for Community Benefit projects that exceed 45 feet in height.

11. Amend and move Policy LG14 and Implementation Actions LG14.1 through LG14.5 from Land Use to Historic Resources Element. See Historic Resources section below.
12. Add Implementation Action LG17.4 as recommended by the Planning Commission and staff and in response to the Upper East Neighborhood Association for consideration of the activities associated with long established institutional uses in residential zones:

As part of neighborhood planning, as appropriate, initiate and conduct studies in residential neighborhoods that have various established institutional uses. The purpose of the study is to engage those who manage these institutional uses in a discussion with neighborhood representatives and City officials to develop “best practices” for the conduct of activities associated with the institutional land uses in order to improve their compatibility with their adjacent residential neighbors on a voluntary basis. Such a study should be conducted in the Upper East Neighborhood that has a unique concentration of existing institutional land uses. Subsequent to this study, and the identification of best practices, these practices should be considered citywide, as appropriate.

HOUSING ELEMENT (pg 197)

13. Amend Policy H15 to read:

Secondary Dwelling Units. Second units (granny units) in single family zones shall be allowed within certain areas with neighborhood input to gauge level of support, but prohibited in the High Fire Hazard Zones to the extent allowed by the State laws applicable to second units. Second units may be most appropriate within a short walking distance from a main transit corridor and bus stop: (H15)

14. Merge Implementation Actions H15.1 and H15.2 as follows to avoid redundant language.

~~Second Units. Second units (granny units) may be appropriate within 10 minutes walking distance from a main transit corridor and bus stop. Consider incentives, such as: revised development standards for second units e.g., eliminating the parking requirements for second units, eliminating the attached unit requirement, reducing development costs by allowing one water, gas and electric meter and a single sewer line, developing an amnesty program for illegal second units. (H15.1)~~

Secondary Dwelling Unit Ordinance. Amend the Secondary Dwelling Unit Ordinance to provide more site planning flexibility and affordable-by-design concepts such as:

- Changing the existing size limitations to remove percentage of unit size and allowable addition requirements, and allowing a unit size range (300 – 700 s.f.);
- The square footage of the secondary dwelling unit shall be included in the floor-to-area ratio (FAR) for the entire property and shall be consistent with the Neighborhood Preservation Ordinance FAR;
- Eliminating the attached unit requirement;
- Changing the minimum lot size standard;
- Eliminating or adjusting affordability requirements;
- Allowing tandem parking and easing other parking requirements on a case-by-case basis; and
- Allowing one water, gas, and electric meter and a single sewer line;
- Developing an amnesty program for illegal second units which will comply with code requirements; and
- Developing guidelines and prototypes of innovative design solutions. **(H15.2)**

15. Amend Implementation Action H11.2 similar to 7 above and to specify land use designations where the rental/employer housing overlay is being recommended.

Affordable Rental and Employer Housing Overlay. Encourage the construction of rental housing and employer sponsored housing, including 3+ bedroom units, in the downtown center and identified areas of Medium High and High Density land use designations-the R-3/R-4 zones at affordable rental rates, by providing incentives such as:

- Increased density overlays up to 50 percent (over Average Unit Density Incentive Program).
- Higher Floor Area Ratios (FAR) when such standards are developed.
- More flexibility with zoning standards, (e.g., reduced parking standards).
- Expedited Design Review process.
- Fee waivers or deferrals. **(H11.2)**

OPEN SPACE, PARKS AND RECREATION ELEMENT (pg. 215)

16. Amend Policy OP2 to add “access and connectivity” of public open space as a consideration when acquiring, improving, or maintaining access from and through neighborhoods.

Open Space, Parks, Recreation and Trails Acquisition and Maintenance Funding. The City shall develop a variety of ways and options to support acquisition and maintenance of public open space, and new development and redevelopment shall contribute commensurate with the incremental need generated. Access and connectivity between open spaces shall be considered in future acquisition and maintenance funding.

HISTORIC RESOURCES ELEMENT (PG. 235)

17. Reorder and amend Historic Resource Element policies.

18. Move Policy LG14 (and Possible Implementation Actions to be Considered) from the Land Use Element to the Historic Resources Element as HR2 and amend to address the goal of maintaining the buffer areas as Medium/High Density. Also include language to allow some flexibility for higher densities for affordable housing projects that meet historic preservation goals.

Historic Structures. Protect Historic structures through building height limits, reduced densities and other development standards in downtown. **(LG14 to HR2)**

Possible Implementation Actions to be Considered

Reduced Densities. The Commercial Medium/High Density land use designation shall apply to those areas within 100 feet of historic resources. Flexibility to allow increased density for rental and employer housing shall be considered on a case by case basis if consistent with historic resource preservation goals of the city. **(HR2.1)**

Stepped Back Buildings. Stepping back buildings adjacent to historic resources and residential zones in the downtown urban centers. **(LG14.1 to HR2.2)**

Form Based Codes. Implement lower height limits in conjunction with Form-Based Codes where adjacent to historic structures. **(LG14.2 to HR2.3)**

Adaptive Reuse. Encourage the adaptation of the structure for uses other than the original intended use ~~When the original use of a historic structure is no longer viable, encourage the adaptation of the structure for uses other than the original intended use.~~ **(LG14.3 to HR2.4)**

Transfer of Development Rights (TDR). Create a residential TDR program for residential properties developed with historically significant buildings to enable the preservation of historical buildings without exceeding the recommended overall allowed combined General Plan densities of the parcels involved. **(LG14.4 to HR2.5)**

Historic Resource Buffers. Adopt the following City Policies and Design Guidelines as interim measures to establish buffer zones to further protect historic resources:

- a. Require all parcels within 100 feet of a Historic Resource located within the downtown center be identified and flagged for careful consideration by decision makers prior to approval of any development application ~~including increased bonus density proposals or consideration of increased densities for rental, employer and/or Affordable housing.~~
- b. Require all development proposed within 250 feet of historic adobe structures, El Presidio State Historic Park and other significant City Landmarks and the grouping of landmarks in close proximity to El Pueblo Viejo be subject to Preservation Design Guidelines to protect these resources. Protection may require actions such as adjustments in height, bulk, or setbacks.
- c. Adopt Interim Preservation Design Guidelines within 6 months of the *Plan Santa Barbara* General Plan Update adoption that outline suggested buffer protection methods establishing specific density, distance, setback, height limits, separation and step back criteria for new development on parcels adjoining designated Historic Resources. **(LG14.5 to HR2.6)**

Historic Resource Protection. Identify and/or designate Historic Districts or grouping of historic resources and consider additional implementation actions listed in LG13 ~~and LG14~~, such as

revised development standards, buffer protection and overlay zones to further protect historic resources. **(HR5 to HR3)**

Buffers. Establish permanent Historic Resource Buffers with priority focus on the historic adobe structures, the Brinkerhoff Avenue District, significant City Landmarks, and El Presidio State Historic Park. **(HR5.1 to HR3.1)**

Development Adjoining Designated Historic Structures. Development on parcels adjoining designated historic structures shall be designed, sited and scaled to be compatible with their historic neighbor and public enjoyment of the historic site. **(HR3 to HR4)**

Views. Review proposed buildings or additions to existing buildings on parcels adjoining designated historic structures as to how they may affect views of and from the historic structure. **(HR3.1 to HR4.1)**

19. Amend Implementation Action HR3.2 to consider harmful impacts to historic structures as a result of surrounding development.

Construction Adjacent to Historic Structures. Provide that construction activities adjacent to an important historical structure do not damage the historical structure. For projects involving substantial demolition and/or grading adjacent to an important historical structure, include any necessary measures to provide that such construction activities do not damage the historical structure, as determined in consultation with the City Urban Historian, or in approved Historic Structures Report recommendations. Such measures could include participation by a structural engineer and/or an historical architect familiar with historic preservation and construction in the planning and design of demolition or construction adjacent to important historic structures.

Where appropriate, require an evaluation study and mitigation for potential damage of certain significant historic structures (e.g., older adobe structures) shall be considered when adjacent development might result in a change in micro-climate of the affected historic structure. The evaluation study shall include a comparative assessment of potential harmful impacts that may result to the exterior or interior of the historic structure. Impacts to be studied may consist of the following: air circulation, humidity, temperature, heating and cooling dynamics, noise, vibration, air quality, light and shade conditions. The goal is to ensure no significant long-term harm or negative impacts would result in the condition or environment of the historic structure. **(HR3.2 to HR4.2)**

ENVIRONMENTAL RESOURCES ELEMENT (pg. 239)

20. Add language to Policy ER7 that allows development within buffer areas if the City can determine that diesel emission risks can be reduced, or until the CARB develops additional regulations.

Highway 101 Set-Back. New development of residential or other sensitive receptors (excluding minor additions or remodels of existing homes or one unit on vacant property) on lots of record within 250 feet of U.S. Hwy 101 will be prohibited in the interim period until California Air Resources Board (CARB) phased diesel emissions regulations are implemented and/or until the City determines that diesel emission risks can be satisfactorily reduced. The City will monitor the progress of CARB efforts and progress on other potential efforts or measures to address diesel emissions risks. **(ER7)**

21. Add a new Implementation Action under policy ER25 to address Coastal Bluff Determinations to read:

Site Specific Coastal Bluff Location Analysis. Any mapped illustration, description of, or reference to a “coastal bluff” in the *Plan Santa Barbara* planning, background, or environmental documents should trigger the requirement for professional site-specific coastal bluff location analysis as part of the application for development on a parcel, rather than to be a conclusive determination that a “coastal bluff” now exists, or at any time during the historic record has existed, on that parcel.

22. Add back as Implementation Action ER 17.3 the following draft program from the March 2010 Draft GPU that was inadvertently left out of the September 2010 Draft GPU:

Floodplain Mapping Update. Update the Flood Insurance Rate Maps (FIRM) floodplain boundaries for Special Flood Hazard Areas such as the Mission and Sycamore creek drainages and Area A near the Estero.

23. Amend Implementation Action ER27.1 to read:

Underground Utilities. Cooperate with developers and utility companies to underground as many as possible overhead utilities in the city by 2030. Establish a listing of priority street segments with realistic target dates in the capital improvements program and continue to support neighborhood efforts for undergrounding.

CIRCULATION ELEMENT (pg. 257)

24. Amend the following Circulation Element Policies and Implementation Action to read:

Transportation Infrastructure Enhancement and Preservation. Assess the current and potential demand for alternative transportation and where warranted ~~increase~~ the availability and attractiveness of alternative transportation by improving related infrastructure and facilities without reducing vehicle access. **(C1)**

Circulation Improvements. Where existing or anticipated congestion occurs, improve traffic flow in conjunction with providing improved access for pedestrians, bicycles and public and private transit through measures that might include physical roadway improvements, and Travel Demand Management (TDM) strategies and others. **(C6)**

Downtown Public Parking Pricing. Work with ~~Downtown~~ stakeholders to develop a public on-street parking program that will reduce commuter use of the customer parking supply and increase the economic vitality of Downtown. **(C6.4)**

PUBLIC SERVICES AND SAFETY ELEMENT (pg. 269)

25. Amend Implementation Action PS10.1 as follows to allow 65 dB(A) as the noise guideline for residential land uses but maintain the noise guideline as 60 dB(A) in single family residential zones.

Noise Guidelines for Residential Zones. Take into consideration the surrounding existing and future legal land uses in establishing noise standards for residential uses. **(PS10)**

Possible Implementation Actions to be Considered

Noise Levels. Update the General Plan Noise Element Land Use Compatibility Guidelines including establishing 65 dB(A) CNEL as the appropriate maximum outdoor noise level for residential land uses in commercial and multi-family zones while maintaining 60 dB(A) CNEL in single family zones. This ambient noise guideline for residential building construction shall assure indoor noise levels meet building code requirements of 45 dB(A) level. **(PS10.1)**

26. Add Implementation Action 10.3 to assess noise effects caused by non-residential activities and events in residential neighborhoods.

Neighborhood Noise Reduction. To further General Plan policies for maintaining quiet, high quality neighborhoods, require more detailed noise assessments for proposed special, conditional, and institutional uses with activities and events that may cause noise effects to residential neighborhoods. **(PS10.3)**

27. Add the following Policy to Public Services and Safety Element:

Fire Prevention and Creek Restoration. Coordinate fire prevention and creek protection planning through the development of a set of best practices, within and adjacent to creek corridors. **(PS14)**



Agenda Item No. _____

File Code No. **440.05**

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 16, 2010

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Conference With Labor Negotiator

RECOMMENDATION:

That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the Treatment and Patrol Bargaining Units and the Hourly Bargaining Unit, and regarding discussions with unrepresented management about salaries and fringe benefits.

SCHEDULING: Duration, 30 minutes; anytime

REPORT: None anticipated

PREPARED BY: Kristy Schmidt, Employee Relations Manager

SUBMITTED BY: Marcelo López, Assistant City Administrator

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 16, 2010

TO: Mayor and Councilmembers

FROM: Airport Administration, Airport Department
City Attorney's Office

SUBJECT: Conference With Real Property Negotiator Regarding 6100 Hollister Avenue

RECOMMENDATION:

That Council hold a closed session to consider instructions to its negotiators regarding a possible long-term lease of City-owned property consisting of a fifteen-acre parcel of real property located at 6100 Hollister Avenue at the Airport, bounded by Hollister Avenue, Frederic Lopez Road, Francis Botello Road and David Love Place (Parcel 22 of the Airport Specific Plan Map [City Parcel Map No. 20,608] in the City of Santa Barbara). Instructions to negotiators will direct staff regarding the price and terms of payment of a possible lease of the City-owned property with Deckers Outdoor Corporation, a Minnesota corporation. Negotiations are held pursuant to the authority of Section 54958.8 of the California Government Code. City Negotiators are: Karen Ramsdell, Airport Director; Paul Casey, Assistant City Administrator/Community Development Director; and Sarah Knecht, Assistant City Attorney. Negotiator for the potential lessee is Carlo Brignardello, CresaPartners Corporate Real Estate Service Advisors.

Under negotiation: Price and terms of payment of a possible ground lease.

SCHEDULING: Duration, 30 Minutes; anytime

REPORT: None anticipated

PREPARED BY: Hazel Johns, Assistant Airport Director

SUBMITTED BY: Karen Ramsdell, Airport Director
Stephen P. Wiley, City Attorney

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 9, 2010

TO: Mayor and Councilmembers

FROM: City Clerk's Office, Administrative Services Department

SUBJECT: Interviews For City Advisory Groups

RECOMMENDATION: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to November 16, 2010 and November 23, 2010.

DISCUSSION:

Interviews of applicants for various positions on City Advisory Groups are to be held on November 9, 2010, at 4:00 p.m. Applicants will also have the option to be interviewed on November 16, 2010, at 6:00 p.m. and November 23, 2010, at 4:00 p.m.

For the current vacancies, 68 individuals submitted 81 applications. A list of eligible applicants and pertinent information about the City Advisory Groups is attached to this report.

Applicants have been notified that to be considered for appointment, they must be interviewed. Applicants have been requested to prepare a 2-3 minute verbal presentation in response to a set of questions specific to the group for which they are applying.

Appointments are scheduled to take place on December 7, 2010.

ATTACHMENT: List of Applicants

PREPARED BY: Cynthia M. Rodriguez, CMC, City Clerk Services Manager

SUBMITTED BY: Marcelo A. López, Assistant City Administrator/Administrative Services Director

APPROVED BY: City Administrator's Office

ACCESS ADVISORY COMMITTEE

- Three vacancies.
- Term expires 12/31/2013.
- Residents of the City or a full-time employees of an entity doing business within the City who demonstrate an interest, experience, and commitment to issues pertaining to disability and access and who represent the public at large.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Public at large (3)</i>	Robert Burnham			
	Karen L. Johnson	12/16/2008 (2 years)		
	Adelaida Ortega	12/16/2008 (2 years)		
	Scott Smigel			
	Victor Suhr	12/16/2008 (2 years)		

AIRPORT COMMISSION

- Three vacancies.
- Terms expire 12/31/2014.
- One qualified elector of the City; and
Two qualified electors of the City or residents of the County of Santa Barbara.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified Elector of the City (1)</i>	Kirk A. Martin	7/11/06, and 12/19/06 (4 years, 5 months)		
	Bruce A. Miller	7/11/06, and 12/19/06 (4 years, 5 months)		
<i>Qualified Electors of the City or residents of the County (2)</i>	Patricia L. Griffin	12/17/02, and 12/19/06 (8 years)		County
	Karen M. Kahn			County

ARCHITECTURAL BOARD OF REVIEW

- Two vacancies.
- One term expires 12/31/2012; and
One term expires 12/31/2014.
- Qualified electors of the City or a registered voter within the County of Santa Barbara:
 - One appointee who possesses professional experience in related fields including, but not limited to, landscape architecture, building design, structural engineering or industrial design; and
 - One appointee who is a licensed architect, who possesses professional experience in related fields including, but not limited to, landscape architecture, building design, structural engineering or industrial design, or who represents the public at large.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
Professional Qualifications (1)	Chris Gilliland	6/29/10 (6 months)		Landscape Architect; County
Licensed Architect, Professional Qualifications, Public at Large (1)	Robert Burke		1) Planning Commission 2) RHMTF 3) ABR	Public at Large; Qualified Elector
	Travis B. Colburn			Architect; Qualified Elector
	Kellam de Forest		1) ABR 2) HLC	Public at Large; County

(Cont'd)

ARCHITECTURAL BOARD OF REVIEW (CONTD)

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Licensed Architect, Professional Qualifications, Public at Large (Cont'd)</i>	Leeanne French		1) ABR 2) Planning Commission 3) Creeks Advisory Committee	Public at Large, Qualified Elector
	Kirk B. Gradin			Architect, Qualified Elector
	Paul R. Zink	3/6/07 (3 years, 9 months)		Architect; Qualified Elector

ARTS ADVISORY COMMITTEE

- One vacancy.
- Term expires 12/31/2013.
- Qualified elector of the City with acknowledged accomplishments in the arts and who demonstrates an interest in and commitment to cultural and arts activities.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
Qualified Elector (1)	Robert F. Adams			Current Historic Landmarks Commissioner; term expires 12/31/10
	Jacqueline Kronberg		1) Arts Advisory Committee 2) Community Events & Festivals Committee	
	Nathan Vonk			

CENTRAL COAST COMMISSION FOR SENIOR CITIZENS

- One vacancy.
- Term expires 6/30/2011.
- Resident of the City.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Resident of the City (1)</i>	None			

CIVIL SERVICE COMMISSION

- One vacancy.
- Term expires 12/31/2014.
- Qualified elector of the City.
- Appointee may not hold any full-time paid office or employment in City government and, for 1 year after ceasing to be a member, may not be eligible for any salaried office or employment with the City.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
Qualified Elector (1)	Gabe Dominocielo		1) Water Commission 2) Civil Service Commission	Current member on the Living Wage Advisory Committee; term expires 6/30/14
	Nancy Miller	7/3/07 (3 years, 5 months)		

COMMUNITY DEVELOPMENT AND HUMAN SERVICES COMMITTEE

- Five vacancies.
- Two terms expire 12/31/2013; and
Three terms expire 12/31/2014.
- Residents or employees within the City but need not be qualified electors of the City. One representative from each:
 - African American Community
 - Latino Community
 - Housing Interests
 - Westside Neighborhood (Census Tract Nos. 10, 11.01 and 11.02)
 - Human Services Agencies
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>African American Community (1)</i>	Brenda Collins Powell			
<i>Housing Interests(1)</i>	Steven Attewell		1) Living Wage Advisory Committee 2) CD&HS Committee	
	Crystal Marie Hernandez			Also eligible for Human Services Agencies category
<i>Human Services Agencies (1)</i>	Jennifer Griffin			

(Cont'd)

COMMUNITY DEVELOPMENT AND HUMAN SERVICES COMMITTEE (CONT'D)

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Latino Community (1)</i>	Yesenia Curiel	6/30/09 (1 year, 6 months)		
	Andrew Raúl Gil		1) CD&HS Committee 2) Parks and Recreation	
<i>Westside Neighborhood (1)</i>	Josephine Torres	12/18/07 (3 years)		

COMMUNITY EVENTS & FESTIVALS COMMITTEE

- Three vacancies.
- Terms expire 12/31/2014.
- One representative of the Cultural Arts; and
Two residents of the City who represent the public at large (one of whom shall not represent any specific group).
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Cultural Arts (1)</i>	Roger Perry	7/11/06, and 12/19/06 (4 years, 5 months)		
<i>Public at Large (2)</i>	Rebekah Altman	12/19/06 (4 years)		
	Jacqueline Kronberg		1) Arts Advisory Committee 2) Community Events & Festivals Committee	

CREEKS ADVISORY COMMITTEE

- Four vacancies.
- One term expires 12/31/2011; and
Three terms expire December 31, 2014.
- Two appointees must be residents of the City and two appointees may be residents of the City or the County:
 - One appointee with experience in environmental/land use issues (e.g., land use planning, environmental/natural resource protection/preservation, habitat restoration, water specialist, biologist, or hydrologist, etc.); and
 - Three appointees with some experience in ocean use, business, environmental issues, and/or provide community at large representation.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Environmental/Land Use Expertise (1)</i>	Leeanne French		1) ABR 2) Planning Commission 3) Creeks Advisory Committee	City
	Danielle De Smeth			City
	Else Eleonora Wolff			County
<i>Experience in ocean use, business, or environmental issues, and/or represents the community at large (3)</i>	Darlene M. "Brandy" Bartosh			City
	Thomas L. Williams, Jr.		1) Creeks Advisory Committee 2) Harbor Commission	City

DOWNTOWN PARKING COMMITTEE

- One vacancy.
- Term expires 12/31/2013.
- Resident of the City or the County of Santa Barbara who demonstrates an interest and knowledge of downtown parking issues.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Resident of the City or the County (1)</i>	None			

FIRE AND POLICE COMMISSION

- One vacancy.
- Term expires 12/31/2014.
- Qualified elector of the City.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified Elector (1)</i>	Joe Rodriguez	2/14/95, 3/2/99, 12/17/02, 12/19/06 (15 years, 10 months)		

FIRE AND POLICE PENSION COMMISSION

- Four vacancies.
- One term expires 12/31/2012;
One term expires 12/31/2013; and
Two terms expire 12/31/2014.
- One active or retired police officer who need not be a resident or qualified elector of the City; and
Three qualified electors of the City who are not active firefighters or active police officers for the City of Santa Barbara.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
Active/Retired Police Officer (1)	None			
Qualified Electors (3)	Scott J. Tracy	12/16/08 (2 years)		

HARBOR COMMISSION

- One vacancy.
- Term expires 12/31/2014.
- Qualified elector of the City.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified Elector (1)</i>	Michael Colin			
	Betsy Cramer	3/6/07 (3 years, 9 months)		
	Thomas L. Williams, Jr.		1) Creeks Advisory Committee 2) Harbor Commission	

HISTORIC LANDMARKS COMMISSION

- Three vacancies.
- Terms expire 12/31/2014.
- One qualified elector of the City who is a licensed architect/licensed landscape architect/professional architectural historian or who represents the public at large; and
 Two qualified electors of the City or residents of the County who are licensed architects/licensed landscape architects/professional architectural historians or who represent the public at large.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified elector of the City who is a licensed Architect, licensed Landscape Architect, Professional Architectural Historian or who represents the public at large (1)</i>	Brian Hofer			Architect – Qualified Elector
	Judith Dodge Orias			Public at Large – Qualified Elector
	Michael Patrick Porter			Architect – Qualified Elector
	David Pritchett		1) Planning Commission 2) TCC 3) HLC	Public at Large – Qualified Elector

(Cont'd)

HISTORIC LANDMARKS COMMISSION (CONT'D)

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified elector of the City or resident of the County who is a licensed Architect, licensed Landscape Architect, Professional Architectural Historian or who represents the public at large (2)</i>	Kellam de Forest		1) ABR 2) HLC	Public at Large – County
	William (Bill) LaVoie			Architect – County
	Donald G. Sharpe	12/19/06 (4 years)		Architect – County

LIBRARY BOARD

- One vacancy.
- Term expires 12/31/2014.
- Qualified elector of the City.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified Elector (1)</i>	Eric Friedman	6/28/05, 12/19/06 (5 years, 6 months)		
	Krista Pleiser			

LIVING WAGE ADVISORY COMMITTEE

- Four vacancies.
- Two terms expire 6/30/2012;
One term expires 6/30/2013; and
One term expires 6/30/2014.
- One representative from each:
 - Local Living Wage Advocacy Organization
 - Non-Profit Entity
 - Qualified elector of the City who represents the public at large
 - Santa Barbara Chamber of Commerce or Santa Barbara Downtown Organization
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
Local Living Wage Advocacy Organization (1)	None			
Non-Profit Entity (1)	Joey Corazza			Also eligible for Qualified Elector category
	Anna M. Kokotovic	7/11/06 (4 years, 5 months)		County

(Cont'd)

LIVING WAGE ADVISORY COMMITTEE (CONT'D)

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified Elector (1)</i>	Steven Attewell		1) Living Wage Advisory Committee 2) CD&HS Committee	
	David Langan			
	Larry C. Lee	7/11/06 (4 years, 5 months)		
<i>Santa Barbara Chamber of Commerce (1)</i>	John N. Goodman			

MEASURE P COMMITTEE

- Six vacancies.
- One term expires 12/31/2011;
Two terms expire 12/31/2012;
One term expires 12/31/2013; and
Two terms expire 12/31/2014.
- Two residents of the City; and
One representative each:
 - Civil liberties advocate
 - Criminal defense attorney
 - Drug abuse, treatment & prevention counselor
 - Medical Professional
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Civil Liberties Advocate (1)</i>	None			
<i>Criminal Defense Attorney (1)</i>	None			
<i>Drug abuse, treatment & prevention counselor (1)</i>	None			
<i>Medical Professional (1)</i>	None			
<i>Residents of the City (2)</i>	None			

MOSQUITO & VECTOR MANAGEMENT DISTRICT BOARD

- One vacancy.
- Term expires 1/7/2013.
- Registered voter of the City of Santa Barbara.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Registered voter of the City (1)</i>	David Pritchett	12/16/08 (2 years)		

PARKS AND RECREATION COMMISSION

- One vacancy.
- Term expires 12/31/2014.
- Qualified elector of the City or a resident of the City and a citizen of the United States who is 16 years of age or older.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
Qualified Elector (1)	Andrew Raúl Gil		1) CD&HS Committee 2) Parks and Recreation	
	Beebe Longstreet	2/14/95, 3/2/99, 1/14/03, and 12/19/06 (15 years, 10 months)		
	Marcus Lopez			
	Joshua Weldon Pemberton			
	Olivia Uribe			

PLANNING COMMISSION

- One vacancy.
- Term expires 12/31/2014.
- Qualified elector of the City.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
Qualified Elector (1)	Bruce Bartlett	12/19/06 (4 years)		
	Robert Burke		1) Planning Commission 2) RHMTF 3) ABR	
	Leanne French		1) ABR 2) Planning Commission 3) Creeks Advisory Committee	
	David Pritchett		1) Planning Commission 2) TCC 3) HLC	

RENTAL HOUSING MEDIATION TASK FORCE

- Eight vacancies.
- One term expires 12/31/2011;
One term expires 12/31/12;
One term expires 12/31/13; and
Five terms expire 12/31/2014.
- Five appointees must be residents of the City:
 - One homeowner
 - Four landlords
 - Three tenants

Note: Non-resident members must be owners of residential rental property within the City limits or affiliated with organizations concerned with landlord-tenant issues within the City limits.

- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
Homeowner (1)	Leesa Beck			County
	Bruce Wollenberg	12/19/06 (4 years)		City
Landlords (4)	Marshall K. Sherrill	2/26/02, and 12/13/05 (8 years, 10 months)		City
	Scott Wexler	7/1/08 (2 years, 6 months)		City
Tenant (3)	Robert Burke		1) Planning Commission 2) RHMTF 3) ABR	City

SIGN COMMITTEE

- Two vacancies.
- Terms expire 12/31/2014.
- Residents of the City who represent the public at large.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Residents of the City (2)</i>	Natalie Cope	12/7/04, and 12/19/06 (6 years)		
	Bob Cunningham	12/19/06 (4 years)		

SISTER CITIES BOARD

- One vacancy.
- Term expires 12/31/2014.
- Resident of the City or adjoining areas of the County of Santa Barbara.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Resident of the City or adjoining areas of the County (1)</i>	Takako Wakita	2/14/95, 3/2/99, 12/17/02, and 12/19/06 (15 years, 10 months)		County

TRANSPORTATION & CIRCULATION COMMITTEE

- Four vacancies.
- Terms expire 12/31/2014.
- Two appointees must be qualified electors of the City; and
Two appointees may be qualified electors of the City or residents of the County of Santa Barbara.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified Electors (2)</i>	Hillary Blackerby	6/30/09 (1 year, 6 months)		
	Cynthia Boche			
	Keith Coffman-Grey	12/17/02, and 12/19/06 (8 years)		
	Susan Horne			
	David Pritchett	12/19/06 (4 years)	1) Planning Commission 2) TCC 3) HLC	
<i>Qualified Electors or Residents of the County (2)</i>	None			

WATER COMMISSION

- One vacancy.
- Term expires 12/31/2014.
- Qualified elector of the City:
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
Qualified Elector (1)	Gabe Dominocielo		1) Water Commission 2) Civil Service Commission	Current member on the Living Wage Advisory Committee; term expires 6/30/14
	James A. Smith	3/2/99, 12/17/02, and 12/19/06 (11 years, 9 months)		